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VOLUME II

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

JAWONE D. NICHOLSON

Plaintiff

vs. Case No.:

STATE OF MARYLAND, et al. 1:20-cv-03146 DKC

Defendants

_____ /

VOLUME II

The continued deposition of DAMOND DURANT

was held remotely via Zoom videoconference on Thursday,

June 30, 2022, commencing at 9:23 a.m., before

Susan M. Liebrecht, Notary Public.

STENOGRAPHICALLY REPORTED BY:

Susan M. Liebrecht, RPR

<div>Page 171</div> <p>1 APPEARANCES:</p> <p>2</p> <p>3 ON BEHALF OF PLAINTIFF:</p> <p>4 CARY J. HANSEL, ESQUIRE</p> <p>5 Hansel Law, P.C.</p> <p>6 2514 North Charles Street</p> <p>7 Baltimore, Maryland 21218</p> <p>8 Telephone: 301-461-1040</p> <p>9 Email: cary@hanselllaw.com</p> <p>10</p> <p>11 ON BEHALF OF DEFENDANTS:</p> <p>12 STUART R. GOLDBERG, ESQUIRE</p> <p>13 Baker Donelson, P.C.</p> <p>14 100 Light Street, 19th Floor</p> <p>15 Baltimore, Maryland 21202</p> <p>16 Telephone: 410-685-1120</p> <p>17 Email: sgoldberg@bakerdonelson.com</p> <p>18</p> <p>19</p> <p>20 ALSO PRESENT: Monica A. Carranza, Esquire</p> <p>21</p>	<div>Page 173</div> <p>1 PROCEEDINGS</p> <p>2 Whereupon,</p> <p>3 DAMOND DURANT,</p> <p>4 called as a witness, having been first duly sworn to</p> <p>5 tell the truth, the whole truth, and nothing but the</p> <p>6 truth, was examined and testified as follows:</p> <p>7 EXAMINATION BY MR. HANSEL:</p> <p>8 Q Officer, thank you for your time here</p> <p>9 today. My goal is going to be efficiently use our time</p> <p>10 here together to the greatest extent possible.</p> <p>11 Let me step back into our questioning a</p> <p>12 little bit and ask you when the police ran the firearm</p> <p>13 that you had on you that day, it was reported back that</p> <p>14 there was no information on an owner. I say that</p> <p>15 because I've heard the radio communications.</p> <p>16 Were you the purchaser of that firearm?</p> <p>17 A Yes, sir.</p> <p>18 Q And where did you live when you purchased</p> <p>19 it? What state? That's all I need.</p> <p>20 A Maryland.</p> <p>21 Q And how recently had you purchased it as of</p>
<div>Page 172</div> <p>1 INDEX</p> <p>2 Deposition of DAMOND DURANT - Volume II</p> <p>3 June 30, 2022</p> <p>4</p> <p>5 Examination by: Page</p> <p>6 Mr. Hansel 173, 314</p> <p>7 Mr. Goldberg 295</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<div>Page 174</div> <p>1 the time of these events?</p> <p>2 A I don't remember the exact date. I don't</p> <p>3 remember the exact date.</p> <p>4 Q Sure, but was it, say, a week before, a</p> <p>5 month before, years before? Give me just a rough idea.</p> <p>6 A Could have been maybe a month before, a</p> <p>7 month or two, maybe.</p> <p>8 Q And did you purchase it from a federally</p> <p>9 licensed firearms dealer?</p> <p>10 A Yes.</p> <p>11 Q And which one?</p> <p>12 MR. GOLDBERG: I'm just going to jump in.</p> <p>13 If it would be granted, I would just object to the</p> <p>14 entire line of questioning on the basis of relevancy</p> <p>15 and that way I don't have to interrupt your questions.</p> <p>16 MR. HANSEL: Sure, I'll recognize a</p> <p>17 continuing objection.</p> <p>18 MR. GOLDBERG: Thank you.</p> <p>19 Q Which dealer did you buy it from,</p> <p>20 Mr. Durant? Officer?</p> <p>21 A I think it was Worth-A-Shot.</p>

<p style="text-align: right;">Page 175</p> <p>1 Q Say again?</p> <p>2 A Worth-A-Shot.</p> <p>3 Q Worth-A-Shot, got it.</p> <p>4 And where are they located?</p> <p>5 A Like, Glen Burnie.</p> <p>6 Q Okay. Do you have any idea why it didn't</p> <p>7 come back as registered to anybody when they ran it?</p> <p>8 A No, sir.</p> <p>9 Q Okay. All right. Stepping back into the</p> <p>10 events of the day, I think you described your</p> <p>11 interaction with the young men that were there and</p> <p>12 their family members who showed up and the police</p> <p>13 officers.</p> <p>14 Tell me what happened when those</p> <p>15 interactions were over. What did you do next?</p> <p>16 A I went home.</p> <p>17 Q Okay. And when you say you went home, you</p> <p>18 were already near your house. You went into your</p> <p>19 house? Is that what you mean?</p> <p>20 A Yes.</p> <p>21 Q And what did you do the rest of the day?</p>	<p style="text-align: right;">Page 177</p> <p>1 A CIT.</p> <p>2 Q Okay. And where was that physically in the</p> <p>3 City?</p> <p>4 A 3500 Northern Parkway.</p> <p>5 Q All right. And were you and Sgt. Smith</p> <p>6 close?</p> <p>7 A What do you mean close?</p> <p>8 Q Were you friendly?</p> <p>9 A I mean, he was my sergeant. We get along.</p> <p>10 Q Okay. Did you ever see each other outside</p> <p>11 of work?</p> <p>12 A We didn't hang out, if that's what you're</p> <p>13 asking. Like, I go over his house, he go over my house</p> <p>14 and we hang out, no.</p> <p>15 Q Has he ever been to your house?</p> <p>16 A No.</p> <p>17 Q Have you ever been to his house?</p> <p>18 A No.</p> <p>19 Q Okay. Have you ever seen him outside of</p> <p>20 work?</p> <p>21 A At a bull roast once.</p>
<p style="text-align: right;">Page 176</p> <p>1 A I kind of worried about the situation.</p> <p>2 Q Okay. Why?</p> <p>3 A Worried about my vehicle, worried about</p> <p>4 just anything that might happen after this.</p> <p>5 Q Okay. And tell me what thoughts came to</p> <p>6 your mind when you say you were worried about things</p> <p>7 that might happen after.</p> <p>8 A Something being done to my vehicle.</p> <p>9 Q Okay. Go ahead.</p> <p>10 A Knowing where I live at. Just kept</p> <p>11 thinking. Couldn't sleep. Just kept replaying,</p> <p>12 thinking, thinking, thinking, thinking something might</p> <p>13 happen.</p> <p>14 Q All right. And did you call your</p> <p>15 department to report these events?</p> <p>16 A I think I did.</p> <p>17 Q Who did you speak with?</p> <p>18 A My sergeant at the time was Sgt. Thomas</p> <p>19 Smith.</p> <p>20 Q And where was Sgt. Thomas Smith stationed</p> <p>21 or assigned?</p>	<p style="text-align: right;">Page 178</p> <p>1 Q Okay. Anywhere else?</p> <p>2 A I don't remember any other activity.</p> <p>3 Q All right. Tell me about the bull roast.</p> <p>4 A It was a bull roast. What are you -- it</p> <p>5 was a bull roast. Like, you get together.</p> <p>6 Q Who put it on?</p> <p>7 A It was a departmental bull roast.</p> <p>8 Q Okay. And how many people were there,</p> <p>9 approximately?</p> <p>10 A I couldn't tell you. It was a lot of</p> <p>11 people.</p> <p>12 Q And tell me what your conversation was with</p> <p>13 Sgt. Smith. What did you discuss?</p> <p>14 A I really don't remember.</p> <p>15 Q Well, you said you were worried. Did you</p> <p>16 have him send any officers?</p> <p>17 A Say it again?</p> <p>18 Q Did you ask that he send any officers?</p> <p>19 A To send someone?</p> <p>20 MR. GOLDBERG: Objection to form, but you</p> <p>21 can answer.</p>

<p style="text-align: right;">Page 179</p> <p>1 Q Yeah, did you ask that he send any police?</p> <p>2 A No. No. Well, that day or at the bull</p> <p>3 roast?</p> <p>4 Q The day you called him, I'm sorry. The day</p> <p>5 of the event you went to your house and you called</p> <p>6 Sgt. Thomas Smith, right?</p> <p>7 A No, I didn't ask him to send police.</p> <p>8 Q Did you tell him you needed any help or</p> <p>9 assistance of any kind?</p> <p>10 A I don't remember saying I needed help.</p> <p>11 Q Okay. Or assistance of any kind?</p> <p>12 A I don't remember asking for any help, no.</p> <p>13 Q Did he say he was going to send out any</p> <p>14 investigators to look into the incident?</p> <p>15 A I don't remember that.</p> <p>16 Q Did he tell you he was going to open a case</p> <p>17 with Internal Affairs?</p> <p>18 A No.</p> <p>19 Q Did he tell you to file any type of report?</p> <p>20 Like a use of force report or anything like that?</p> <p>21 A No.</p>	<p style="text-align: right;">Page 181</p> <p>1 point it and it was still in the holster.</p> <p>2 Q When you drew it out of the pocket it was</p> <p>3 in front of you, right?</p> <p>4 A The pocket?</p> <p>5 Q The gun and the pocket were in front of you</p> <p>6 when you drew it?</p> <p>7 A It was in my front pocket.</p> <p>8 Q Okay. And therefore at the moment the gun</p> <p>9 cleared the pocket the gun was in front of you, right?</p> <p>10 A The gun was in my front pocket. Never</p> <p>11 pointed it. Held it down by my side behind me.</p> <p>12 Q Okay. So when it first cleared your pocket</p> <p>13 it would have been in front of your body, right?</p> <p>14 MR. GOLDBERG: Objection. Asked and</p> <p>15 answered, but you can answer.</p> <p>16 A Yeah, it was in the front pocket of my</p> <p>17 hoodie.</p> <p>18 Q And you're telling me you then put it all</p> <p>19 the way behind your back where the boys couldn't see it</p> <p>20 once it was back there?</p> <p>21 MR. GOLDBERG: Objection. Asked and</p>
<p style="text-align: right;">Page 180</p> <p>1 Q Okay. Did you ever fill out any type of</p> <p>2 report with your department? A use of force report or</p> <p>3 anything else?</p> <p>4 A No.</p> <p>5 Q Why not?</p> <p>6 A It wasn't a use of force.</p> <p>7 Q Isn't drawing your firearm and brandishing</p> <p>8 it, doesn't that ordinarily require a use of force</p> <p>9 report with the Baltimore City Police Department?</p> <p>10 MR. GOLDBERG: Objection to form. Calls</p> <p>11 for a legal conclusion. You can answer.</p> <p>12 A Pointing the weapon is the use of force.</p> <p>13 Q Okay. And you said you withdrew it and</p> <p>14 held it at the low ready. I think that's what you told</p> <p>15 the officer. Is that right?</p> <p>16 MR. GOLDBERG: Objection. Asked and</p> <p>17 answered. You can answer.</p> <p>18 THE WITNESS: Answer?</p> <p>19 MR. HANSEL: Please.</p> <p>20 MR. GOLDBERG: You can answer.</p> <p>21 A No, I had it behind my back. I did not</p>	<p style="text-align: right;">Page 182</p> <p>1 answered. You can answer.</p> <p>2 A I pulled it out of my pocket and it went</p> <p>3 straight to my side behind my leg.</p> <p>4 Q Okay. But you didn't put it behind your</p> <p>5 back. You say you put it down by your side by your</p> <p>6 leg. Is that right?</p> <p>7 MR. GOLDBERG: Objection. Form. Asked and</p> <p>8 answered. You can answer.</p> <p>9 A Pulled it out of my pocket, put it down by</p> <p>10 my side.</p> <p>11 Q Okay. All right. And you told me earlier</p> <p>12 you pulled it out so that they would, I think you said</p> <p>13 you wanted them to calm down or you were worried about</p> <p>14 them and you were trying to de-escalate, right?</p> <p>15 MR. GOLDBERG: Objection. Form. Asked and</p> <p>16 answered, but you can answer.</p> <p>17 A Yes.</p> <p>18 Q And that would only work if they saw the</p> <p>19 gun, right?</p> <p>20 MR. GOLDBERG: Objection. Calls for</p> <p>21 speculation, but you can answer.</p>

<p style="text-align: right;">Page 183</p> <p>1 A Yes.</p> <p>2 Q Okay. And so when you pulled it out you</p> <p>3 intended for the young men to see the gun, right?</p> <p>4 A Yes.</p> <p>5 Q Okay. And we can deduce, using our powers</p> <p>6 of observation and logic, that they did, in fact, see</p> <p>7 the gun because they were able to report to their</p> <p>8 mother that there was a gun involved and she was able</p> <p>9 to call the police about it, right?</p> <p>10 MR. GOLDBERG: Objection. Form. Asked and</p> <p>11 answered. You can answer.</p> <p>12 A She's the mother of both?</p> <p>13 Q Sir, I'm sorry. Today is not your day to</p> <p>14 ask me questions. It's the other way around.</p> <p>15 We can deduce that they saw the gun because</p> <p>16 one or both of them told Erica Hamlet there was a gun</p> <p>17 and she called the police about it, right?</p> <p>18 MR. GOLDBERG: Objection. Form. Asked and</p> <p>19 answered. Calls for speculation, but you can answer.</p> <p>20 A Yes.</p> <p>21 Q So when you called Sgt. Smith, what did</p>	<p style="text-align: right;">Page 185</p> <p>1 Q And was he there at the house at the time?</p> <p>2 I can't remember if you said so or not before, I</p> <p>3 apologize.</p> <p>4 A Yeah, he was home.</p> <p>5 Q Okay. Tell me what you said to your</p> <p>6 father-in-law.</p> <p>7 A The same thing about what happened.</p> <p>8 Q Okay. And what did he say to you?</p> <p>9 A He asked me was I okay.</p> <p>10 Q Anything else?</p> <p>11 A Nothing really, no.</p> <p>12 Q Did your wife, your father-in-law or</p> <p>13 Sgt. Smith ever tell you you shouldn't have drawn a</p> <p>14 gun?</p> <p>15 A No.</p> <p>16 Q Did anybody with the Baltimore Police</p> <p>17 Department ever tell you you shouldn't have drawn your</p> <p>18 gun?</p> <p>19 A No.</p> <p>20 Q Have we now discussed everything that</p> <p>21 happened that day related to this incident? The day of</p>
<p style="text-align: right;">Page 184</p> <p>1 Sgt. Smith say about what happened?</p> <p>2 MR. GOLDBERG: Objection. Form. You can</p> <p>3 answer.</p> <p>4 A I don't remember what he said.</p> <p>5 Q Okay.</p> <p>6 A I guess he'll see me tomorrow. The next</p> <p>7 day.</p> <p>8 Q Anything else?</p> <p>9 A Not that I remember, no.</p> <p>10 Q Other than Sgt. Smith did you discuss this</p> <p>11 encounter with anybody else?</p> <p>12 A At work?</p> <p>13 Q No, that day. I'm sorry. The day of the</p> <p>14 encounter, other than Sgt. Smith, did you discuss the</p> <p>15 event with anybody else?</p> <p>16 A Wife.</p> <p>17 Q Anybody else?</p> <p>18 A Maybe my father-in-law.</p> <p>19 Q And tell me, what's your father-in-law's</p> <p>20 name?</p> <p>21 A Maurice Bobbitt.</p>	<p style="text-align: right;">Page 186</p> <p>1 the incident?</p> <p>2 A I think so.</p> <p>3 Q Okay. Tell me what happened the next day</p> <p>4 in relation to this incident.</p> <p>5 MR. GOLDBERG: Objection to form, but you</p> <p>6 can answer.</p> <p>7 A I went to work.</p> <p>8 Q Okay. And tell me what happened at work in</p> <p>9 relation to this incident.</p> <p>10 MR. GOLDBERG: Objection. Foundation and</p> <p>11 form, but you can answer.</p> <p>12 A I'm not sure if that was the day that I</p> <p>13 received the complaint or I don't know if it was that</p> <p>14 day or the day after.</p> <p>15 Q All right. Was receiving the complaint the</p> <p>16 next thing that happened after the day of the incident</p> <p>17 that was related to the incident?</p> <p>18 A Yeah, I received a complaint.</p> <p>19 Q Okay. And when did you -- tell me what</p> <p>20 kind of complaint you received. What was it?</p> <p>21 A I don't know what kind of complaint it was.</p>

<p style="text-align: right;">Page 187</p> <p>1 It just said a complaint was filed against me and I 2 would have to see Internal. 3 Q Okay. And who did you talk to about that? 4 A It begin with an F. I can't remember the 5 officer's name. It begin with an F and I think he 6 retired. I'm not sure. 7 Q And was he an Internal Affairs officer? 8 A Yes. 9 Q Or she? Was it a male? 10 A It was a male. 11 Q Okay. And what did that person say to you? 12 A It's a complaint and that's all I remember. 13 Q Okay. And did they say, don't worry about 14 it, no big deal, don't sweat it. I'm sure you were 15 concerned, right? 16 Let's start there. You were concerned when 17 you got the complaint, weren't you? 18 MR. GOLDBERG: Objection. Form, 19 foundation. You can answer. 20 A I mean, any complaint you get concerned, 21 but I didn't do anything, so.</p>	<p style="text-align: right;">Page 189</p> <p>1 your lawyer to represent you in the peace order 2 proceeding. Is that right? 3 A Yes. 4 Q And do you recall who it was? 5 A I forget his name. 6 Q Can you describe him to me? 7 A Black male, short, smaller guy. 8 Q Okay. Was his name Chaz Ball? 9 A Yes. 10 Q It's a small world that we work in. 11 So Mr. Ball went with you to the peace 12 order hearing. Is that right? 13 A Yes. 14 Q Tell me what happened at the hearing. I'm 15 not asking you what Mr. Ball said to you off the 16 record, but on the record at the hearing, tell me what 17 happened. 18 A The end part or -- 19 Q The whole thing. Tell me, was there a 20 judge there, were you there, was anybody there for 21 Mr. Nicholson. Tell me exactly what happened. You</p>
<p style="text-align: right;">Page 188</p> <p>1 Q So to this day you think you didn't do 2 anything wrong. Is that right? 3 A Yes. 4 Q Okay. And you stand by your actions the 5 day you pulled the gun on these boys one hundred 6 percent. Is that right? 7 A Yes. 8 Q Okay. And so you got a complaint. Tell me 9 what happened next in relation to this incident. 10 A What is that? They made a court date. The 11 peace order. 12 Q Okay. How did you become aware of a peace 13 order filing? 14 A It comes in the mail. 15 Q So you got something in the mail that said 16 there was a peace order. Tell me about that. 17 A Peace order. They send you a lawyer, call 18 a lawyer, and you go to court. 19 Q Okay. Who was your lawyer? 20 A Shoot. It was an FOP lawyer. 21 Q So the Fraternal Order of Police paid for</p>	<p style="text-align: right;">Page 190</p> <p>1 went to a hearing. Tell me what happened. 2 A There was a judge there, I was there, 3 Mr. Nicholson was there, his mom, his grandmother, my 4 wife. The FOP -- I mean, the Internal Affairs officer 5 was there. 6 The judge was more concerned about her 7 having a miscarriage and what she made for dinner, 8 something she cooked, than what was going on. 9 Q Who is her in that sentence? You said the 10 judge -- 11 A The mother. 12 Q I'm sorry? 13 A The mother. 14 Q Okay. How did the miscarriage come up? 15 Tell me about that. 16 A It was on her Facebook page she showed him. 17 Q Okay. So you think the judge was concerned 18 about dinner and a miscarriage. Tell me what happened 19 next. 20 A The ending? Because that went on -- oh, 21 he --</p>

<p style="text-align: right;">Page 191</p> <p>1 Q I want to understand, sir, your entire 2 recollection of the peace order hearing that you 3 attended in person. You said there was a judge there, 4 you described the attendees and you said the judge was 5 worried about Ms. Hamlet's miscarriage and what she had 6 for dinner. 7 I'm imagining a lot more happened because 8 I've been to these proceedings and I know what the 9 issues are and there is a recording of this one. 10 Have you heard the recording or seen the 11 transcript of this event of the peace order? 12 A No, just the peace order that I got. I 13 didn't hear what happened in court. 14 Q You were in court, weren't you, for a 15 hearing? 16 A Yeah, you said did I hear the recording of 17 it. I didn't hear the recording. 18 Q Okay. So now tell me what you saw and 19 heard when you were in court other than what we have 20 already discussed. 21 A She got to ask me questions. She tried to</p>	<p style="text-align: right;">Page 193</p> <p>1 Q Did you ever enter the grounds of 9105 2 Helaine Hamlet Way after the peace order was entered? 3 A No. 4 Q What about the yard? 5 A No. 6 Q Did you ever run or request to be run the 7 names of Erica Hamlet or her mother or Mr. Nicholson or 8 any of the participants of this day through any police 9 database? 10 A No. 11 Q Tell me, I see you're wearing a police 12 instructor shirt. Is that right? First of all, do I 13 have that right? 14 A Yes, sir. 15 Q I'm sorry? 16 A Yes, sir. 17 MR. HANSEL: Okay. All right. Give me 18 just a second. Let me pull something up I want to 19 share with you. 20 Q Can you see the screen here that I've 21 attempted to share, sir?</p>
<p style="text-align: right;">Page 192</p> <p>1 compare me to her son. 2 Q Okay. Anything else? 3 A Most of her questions weren't relevant or 4 wasn't good questions to me. And the judge ruled that 5 I was the aggressor for whatever reason. 6 Q And you think the judge was wrong there? 7 A I think the judge didn't take the time to 8 actually listen to the case. He wasn't concerned about 9 the case. Because if you looking at her Facebook, 10 looking at what she cooks and her miscarriage or 11 whatever, that has nothing to do with what happened. I 12 don't think he was really listening or into the case, 13 no. 14 Q Do you recall anything else from that 15 hearing? 16 A That's about what I can remember. 17 Q After the peace order was issued did you 18 ever enter the common areas around 9105 Helaine Hamlet 19 Way? 20 A No. What's the common area? The street 21 that runs pass it or -- never near the house.</p>	<p style="text-align: right;">Page 194</p> <p>1 A Yes. 2 Q And what I see here is a lesson plan about 3 Use of Force and Fair and Impartial Policing 4 Integration. 5 Do you see that? 6 A Uh-huh. 7 Q Is that yes? 8 A Yes. 9 Q Okay. And it says here it was prepared by 10 a detective and Officer Damond Durant. 11 Do you see that? 12 MR. GOLDBERG: Cary, was this produced in 13 discovery? 14 MR. HANSEL: It's on the Internet. I don't 15 think it was requested in discovery. 16 MR. GOLDBERG: Well, if it's a document 17 you're relying upon in a deposition proceeding it 18 certainly was and I would just object to the line of 19 questioning on the basis of a document that hasn't been 20 produced in discovery. It also is irrelevant whether 21 it's publicly available as the Federal Rules</p>

<p style="text-align: right;">Page 195</p> <p>1 specifically require production of any materials that</p> <p>2 you would rely upon if they're requested in discovery.</p> <p>3 MR. HANSEL: I don't think you requested</p> <p>4 it, but you've got your objection on the record and we</p> <p>5 can figure that out later. I can certainly e-mail you</p> <p>6 a copy or Officer Durant can provide it. He prepared</p> <p>7 it.</p> <p>8 BY MR. HANSEL:</p> <p>9 Q Officer Durant, did you prepare this?</p> <p>10 A Me and Officer Disimone? Yes.</p> <p>11 Q And obviously you have seen this before?</p> <p>12 A Yes.</p> <p>13 Q Obviously you have a copy of it?</p> <p>14 A I can get a copy.</p> <p>15 Q Well, you prepared it. You had a copy at</p> <p>16 one point, didn't you?</p> <p>17 MR. GOLDBERG: Objection. Form. Asked and</p> <p>18 answered.</p> <p>19 A Yes. Yes.</p> <p>20 Q When you say you can get a copy, you can go</p> <p>21 right on the website and look at it just like me,</p>	<p style="text-align: right;">Page 197</p> <p>1 which isn't defined. So vagueness, as well, but you</p> <p>2 can answer.</p> <p>3 A Yes.</p> <p>4 Q Okay. In other words, the police</p> <p>5 department has you training other officers about fair</p> <p>6 and impartial policing, correct?</p> <p>7 MR. GOLDBERG: Objection. Form. You can</p> <p>8 answer.</p> <p>9 A Yes.</p> <p>10 Q And, in fact, they have you training other</p> <p>11 officers about the use of force and fair and impartial</p> <p>12 policing, even during the pendency of this case, right?</p> <p>13 Because I noticed that the date on this document is</p> <p>14 June 17, 2021. Is that right?</p> <p>15 A Yes.</p> <p>16 Q Okay. What other things does the Baltimore</p> <p>17 City Police Department have you training officers</p> <p>18 about?</p> <p>19 A I'm an in-service instructor.</p> <p>20 Q So tell me all the things you train about.</p> <p>21 A Policies, defense tactics.</p>
<p style="text-align: right;">Page 196</p> <p>1 right?</p> <p>2 A Yeah.</p> <p>3 Q All right. So looking at your shirt,</p> <p>4 looking at this lesson plan, am I right that the</p> <p>5 Baltimore City Police Department has you training other</p> <p>6 officers?</p> <p>7 MR. GOLDBERG: Objection. Form. You can</p> <p>8 answer.</p> <p>9 A Yes.</p> <p>10 Q And is one of the things the Baltimore City</p> <p>11 Police Department has you training other officers about</p> <p>12 the use of force?</p> <p>13 A Yes.</p> <p>14 Q And, in fact, not just the use of force,</p> <p>15 but the Baltimore City Police Department has you</p> <p>16 training other officers about fair and impartial police</p> <p>17 policing. Is that right?</p> <p>18 MR. GOLDBERG: Objection. Form. Also,</p> <p>19 mischaracterization of the document if it's in</p> <p>20 reference to the document as you, intentionally or</p> <p>21 otherwise, left off the word policing integration,</p>	<p style="text-align: right;">Page 198</p> <p>1 Q Okay. Under methods and techniques on this</p> <p>2 training here that you authored, one of the things that</p> <p>3 is discussed are attempts to de-escalate.</p> <p>4 Do you see that?</p> <p>5 A Yes.</p> <p>6 Q Okay. So the Baltimore City Police</p> <p>7 Department has you training other officers about how to</p> <p>8 de-escalate situations. Is that right?</p> <p>9 A Yes.</p> <p>10 Q And do you think you're the right man for</p> <p>11 that job?</p> <p>12 MR. GOLDBERG: Objection. Form.</p> <p>13 Argumentative, but you can answer.</p> <p>14 A I think so.</p> <p>15 Q And here, part of the training is that</p> <p>16 force should only be used if it is necessary,</p> <p>17 reasonable and proportional.</p> <p>18 Do you see that?</p> <p>19 A Yes.</p> <p>20 Q Do you agree with that standard? That</p> <p>21 force should only be used if it is necessary,</p>

<p style="text-align: right;">Page 199</p> <p>1 reasonable and proportional?</p> <p>2 A Yes.</p> <p>3 Q Here on the fourth page, you wrote that</p> <p>4 students should attempt to deploy de-escalation,</p> <p>5 respond with a proportionate force option and may</p> <p>6 potentially withdraw their training pistol, point it at</p> <p>7 the subject, if justified, and give appropriate verbal</p> <p>8 commands.</p> <p>9 Do you see that?</p> <p>10 A I see it.</p> <p>11 Q Now, it says here, if justified. What</p> <p>12 would justify drawing your weapon?</p> <p>13 MR. GOLDBERG: Objection, but you can</p> <p>14 answer.</p> <p>15 A Several things. A lot of things would</p> <p>16 justify pointing a weapon.</p> <p>17 Q I asked about drawing. What types of --</p> <p>18 what categories of subject actions would justify</p> <p>19 drawing your weapon?</p> <p>20 MR. GOLDBERG: Objection. You can answer.</p> <p>21 A If the suspect has a gun, if it's being</p>	<p style="text-align: right;">Page 201</p> <p>1 use of force and de-escalation and fair and impartial</p> <p>2 policing, you listed yourself here has a subject matter</p> <p>3 expert.</p> <p>4 Do you see that?</p> <p>5 A I see it.</p> <p>6 Q Do you believe that you are a subject</p> <p>7 matter expert in those areas?</p> <p>8 MR. GOLDBERG: Objection. Form, but you</p> <p>9 can answer.</p> <p>10 A Yes.</p> <p>11 Q So let's go back into the peace order</p> <p>12 hearing. Have you told me everything you recall about</p> <p>13 the peace order hearing? I think the answer was, yes,</p> <p>14 but have you told me everything you recall?</p> <p>15 A That I recall, yes.</p> <p>16 Q Okay. And the peace order was ultimately</p> <p>17 granted, right? You understood that?</p> <p>18 A Yes.</p> <p>19 Q And the judge found not only that you were</p> <p>20 the aggressor or threat, but that you might be in the</p> <p>21 future. Is that right?</p>
<p style="text-align: right;">Page 200</p> <p>1 attacked, knife. Just the circumstances. It's a lot.</p> <p>2 If the person has some type of skill level. It's a lot</p> <p>3 of things.</p> <p>4 Q Neither of these young men had or drew a</p> <p>5 gun, correct?</p> <p>6 MR. GOLDBERG: Objection. Form. You can</p> <p>7 answer.</p> <p>8 A No.</p> <p>9 Q In other words, they did not draw a gun,</p> <p>10 did they?</p> <p>11 MR. GOLDBERG: Objection. Form. Asked and</p> <p>12 answered, but you can answer.</p> <p>13 A No.</p> <p>14 Q Okay. Neither of these young men drew a</p> <p>15 knife, did they?</p> <p>16 A No.</p> <p>17 Q Okay. You weren't aware that either of</p> <p>18 these young men had any special skills, karate or</p> <p>19 something like that, were you?</p> <p>20 A No, I couldn't tell.</p> <p>21 Q Now, in connection with this training about</p>	<p style="text-align: right;">Page 202</p> <p>1 MR. GOLDBERG: Objection to form.</p> <p>2 Foundation. You can answer.</p> <p>3 A He just wanted me to stay away from them or</p> <p>4 we were to stay away from each other. I don't know if</p> <p>5 I was a future threat.</p> <p>6 Q And tell me when was the next time you saw</p> <p>7 them after the public hearing on the peace order?</p> <p>8 A With you on Zoom.</p> <p>9 Q And what was the occasion?</p> <p>10 A I think it was a hearing. Some type of</p> <p>11 hearing.</p> <p>12 Q What kind of hearing?</p> <p>13 A I'm not sure what the hearing was called.</p> <p>14 I guess it was -- I don't know what the hearing was</p> <p>15 called. But it was specific. I know it wasn't a</p> <p>16 deposition like this one, but it was -- I don't know</p> <p>17 what it was called.</p> <p>18 Q Was it a hearing in this case? Was it</p> <p>19 legislative testimony? What was it?</p> <p>20 A It was a hearing in this case.</p> <p>21 Q Okay. And do you recall what the subject</p>

<p>Page 203</p> <p>1 matter was?</p> <p>2 A The situation.</p> <p>3 Q Okay. Other than that have you ever seen</p> <p>4 Jawone Nicholson since the peace order hearing?</p> <p>5 A No.</p> <p>6 Q Other than any Zoom hearings in this case</p> <p>7 have you ever seen Erica Hamlet since the peace order</p> <p>8 hearing?</p> <p>9 A No.</p> <p>10 Q After the peace order, what was your next</p> <p>11 involvement in any issues arising out of this incident?</p> <p>12 MR. GOLDBERG: Objection. Form, but you</p> <p>13 can answer.</p> <p>14 A This.</p> <p>15 Q What do you mean this?</p> <p>16 A This deposition now.</p> <p>17 Q Okay. Nobody ever contacted or</p> <p>18 communicated with you in connection with the incident</p> <p>19 with Jawone Nicholson from the peace order hearing</p> <p>20 until these couple of days of depositions. Is that</p> <p>21 right?</p>	<p>Page 205</p> <p>1 dealing with them.</p> <p>2 Q I'm not asking about your dealings</p> <p>3 specifically with Mr. Nicholson or Ms. Hamlet. I'm</p> <p>4 saying arising out of that incident, did anything at</p> <p>5 all happen between the peace order and the litigation</p> <p>6 that we're here to talk about today?</p> <p>7 MR. GOLDBERG: Objection to form, but you</p> <p>8 can answer.</p> <p>9 A The dismissal.</p> <p>10 Q What do you mean the dismissal?</p> <p>11 A The case was dismissed because it was</p> <p>12 overdue or something like that.</p> <p>13 Q When you say the case, what are you</p> <p>14 referring to?</p> <p>15 A The actions between me and Ms. Nichols</p> <p>16 (sic).</p> <p>17 Q Okay. Was there an Internal Affairs</p> <p>18 complaint filed? You already said there was.</p> <p>19 A Yes.</p> <p>20 Q Okay. Did you give a statement to Internal</p> <p>21 Affairs?</p>
<p>Page 204</p> <p>1 A The lawyer said it was coming up. That was</p> <p>2 about it.</p> <p>3 MR. GOLDBERG: I would object on the basis</p> <p>4 that obviously he's not asking about attorney/client</p> <p>5 communications.</p> <p>6 Q None of my questions are meant to elicit</p> <p>7 what your lawyers told you.</p> <p>8 Other than what we have already talked</p> <p>9 about have we already discussed everything that</p> <p>10 happened in connection with the incident with Jawone</p> <p>11 Nicholson up to the lawsuit that we're here today to</p> <p>12 talk about?</p> <p>13 A This is the last thing, yeah.</p> <p>14 Q But I'm not asking what the last thing was.</p> <p>15 I'm starting at the peace order and I'm ending at the</p> <p>16 events related to this lawsuit.</p> <p>17 Did anything happen in between in</p> <p>18 connection with your interaction with Jawone Nicholson?</p> <p>19 MR. GOLDBERG: Objection to form. You can</p> <p>20 answer.</p> <p>21 A Me dealing with them? No, I have had no</p>	<p>Page 206</p> <p>1 MR. GOLDBERG: Objection to form. Asked</p> <p>2 and answered, but you can answer.</p> <p>3 A Yes. I think I did, yeah.</p> <p>4 Q Okay. It was a recorded statement?</p> <p>5 A Yeah, they're pretty much all recorded, I</p> <p>6 think.</p> <p>7 Q And your lawyer was present with you?</p> <p>8 A Yes.</p> <p>9 Q Was that also Mr. Ball? The same man, Chaz</p> <p>10 Ball, that was with you at the peace order hearing?</p> <p>11 A No.</p> <p>12 Q All right. Who was it that was with you at</p> <p>13 the Internal Affairs hearing?</p> <p>14 A I forget his name, but it wasn't Mr. Ball.</p> <p>15 Q All right. Can you describe him to me?</p> <p>16 Was he a white guy?</p> <p>17 A Yes, white male.</p> <p>18 Q All right. And so I'm going to take a shot</p> <p>19 that his last name was Davey. Is that right?</p> <p>20 A I think it was Mr. Davey. I think it was</p> <p>21 him.</p>

<p style="text-align: right;">Page 207</p> <p>1 Q All right. And who was it that interviewed</p> <p>2 you for Internal Affairs? What officer?</p> <p>3 A The same officer that was, I guess, heading</p> <p>4 the case.</p> <p>5 Q Okay. Between the time when the officer</p> <p>6 told you that there had been a complaint and you'd need</p> <p>7 to talk to Internal Affairs and the interview with that</p> <p>8 officer, what else happened in connection with the</p> <p>9 Internal Affairs complaint?</p> <p>10 MR. GOLDBERG: Objection. Form,</p> <p>11 foundation. And depending on the answer -- you can</p> <p>12 answer.</p> <p>13 MR. HANSEL: Don't tell me anything your</p> <p>14 lawyer said.</p> <p>15 MR. GOLDBERG: Thanks.</p> <p>16 A What happened?</p> <p>17 Q Yeah, sure. Were you asked to produce any</p> <p>18 documents? Did anybody talk to you? Did you talk to</p> <p>19 anybody or did you have to submit any reports? Was</p> <p>20 your firearm examined? Did anybody come to your house?</p> <p>21 Were there any photographs taken? Video, audio?</p>	<p style="text-align: right;">Page 209</p> <p>1 Q Okay. You told me earlier it was</p> <p>2 dismissed. That the Internal Affairs charges were</p> <p>3 dismissed. Did you ever receive notice of the charges?</p> <p>4 In other words, Internal Affairs interviews</p> <p>5 you and then the ordinary process would include you</p> <p>6 getting some notice that you might be charged and an</p> <p>7 opportunity to have a trial board. Those types of</p> <p>8 things.</p> <p>9 Did you ever receive any notice of those</p> <p>10 charges?</p> <p>11 A Yeah, I received that letter.</p> <p>12 Q Okay. You got a letter and it said you</p> <p>13 were being charged with violations of the Department's</p> <p>14 rules. Is that right?</p> <p>15 MR. GOLDBERG: Objection to form and</p> <p>16 foundation, but you can answer.</p> <p>17 A I don't remember verbatim what it said.</p> <p>18 But I received a letter saying that I would have to --</p> <p>19 I can refer to my lawyer or that, but I know I was</p> <p>20 charged. I found out later that I was charged with not</p> <p>21 saying that I was a police, but I did. So I don't know</p>
<p style="text-align: right;">Page 208</p> <p>1 What happened in between the time the man</p> <p>2 told you that you were going to be interviewed and when</p> <p>3 you were actually interviewed in connection with the</p> <p>4 Internal Affairs event?</p> <p>5 A Nothing.</p> <p>6 Q Okay. And how close to the incident were</p> <p>7 you interviewed? Days, weeks, months? How close?</p> <p>8 A I would say weeks. A week, I think.</p> <p>9 Q So a week to, let's say, three weeks? Is</p> <p>10 that fair?</p> <p>11 A That's fair.</p> <p>12 Q Okay. And so let's say clearly within a</p> <p>13 month of the incident you had given your Internal</p> <p>14 Affairs interview. Is that right?</p> <p>15 A Yes.</p> <p>16 Q What did you next hear from Internal</p> <p>17 Affairs? You gave your interview within a month. You</p> <p>18 said you didn't hear anything from when they first</p> <p>19 talked to you until the interview.</p> <p>20 What did you hear after the interview?</p> <p>21 A Nothing, pretty much.</p>	<p style="text-align: right;">Page 210</p> <p>1 where that charge come from.</p> <p>2 Q All right. Other than not identifying</p> <p>3 yourself were there any other charges against you?</p> <p>4 A Yes, that's the one that I remember.</p> <p>5 Q So you don't remember any other charges</p> <p>6 other than failure to identify. Is that right?</p> <p>7 A That's the one that I remember because I</p> <p>8 didn't agree with it.</p> <p>9 Q Okay. And you obviously got that charge</p> <p>10 sometime before it was dismissed, right? That's kind</p> <p>11 of obvious. There had to be something to dismiss; is</p> <p>12 that correct?</p> <p>13 A I really wasn't kept up to date with it. I</p> <p>14 found out stuff on my own. The dismissal I found out</p> <p>15 on my own. I wasn't really given any information about</p> <p>16 that. I found out that that was a case that was</p> <p>17 dismissed.</p> <p>18 Q All right. But the charges, themselves,</p> <p>19 this is obvious, but I'm just trying to establish the</p> <p>20 timeline, you were charged before it was dismissed,</p> <p>21 right? Had to be. See my point?</p>

<p style="text-align: right;">Page 211</p> <p>1 A Yes.</p> <p>2 Q Okay. And how did you -- when you were</p> <p>3 charged, other than your lawyer or anybody from your</p> <p>4 lawyer's office, who did you discuss those charges</p> <p>5 with?</p> <p>6 A I didn't discuss them with nobody.</p> <p>7 Q Well, we know that's not right. You</p> <p>8 discussed them with Internal Affairs, didn't you?</p> <p>9 MR. GOLDBERG: Objection. Form. You can</p> <p>10 answer.</p> <p>11 A I guess they would have to send me the</p> <p>12 letter and notify me of the charges.</p> <p>13 Q Sure. And you didn't talk to your sergeant</p> <p>14 or your captain or anybody from Internal Affairs at all</p> <p>15 about the charges?</p> <p>16 A I don't remember. I don't remember.</p> <p>17 Q Did you talk to any fellow officers about</p> <p>18 the charges?</p> <p>19 A Being as though that I got them or what do</p> <p>20 you mean?</p> <p>21 Q Anything at all about them after you</p>	<p style="text-align: right;">Page 213</p> <p>1 A C.</p> <p>2 Q And is the unit he's with the CIT Unit at</p> <p>3 the address you gave earlier?</p> <p>4 A Yes.</p> <p>5 Q Okay. Who else did you discuss with</p> <p>6 charges with?</p> <p>7 A That would be it or Sgt. Smith.</p> <p>8 Q Okay. Tell me what you said to Sgt. Smith.</p> <p>9 A Same thing I said to Constantino.</p> <p>10 Q Anything else?</p> <p>11 A Not that I remember.</p> <p>12 Q Other than your attorneys did you discuss</p> <p>13 the charges with anybody else other than what we have</p> <p>14 already talked about?</p> <p>15 A Not that I remember.</p> <p>16 Q Okay. Did you do anything to investigate,</p> <p>17 get witnesses, check for Ring doorbell cameras or</p> <p>18 anything else to gather evidence related to the</p> <p>19 incident?</p> <p>20 A No.</p> <p>21 Q Other than -- and you said you learned the</p>
<p style="text-align: right;">Page 212</p> <p>1 received them.</p> <p>2 A I guess I talked to a couple people saying</p> <p>3 this is what they charged me with and that was about</p> <p>4 it.</p> <p>5 Q So who did you talk to about that?</p> <p>6 A Probably who I was working with. Probably.</p> <p>7 I would assume I did.</p> <p>8 Q Okay. And when you say who you were</p> <p>9 working with, tell me who that is.</p> <p>10 A Officer Constantino.</p> <p>11 Q And what is Officer Constantino's full</p> <p>12 name?</p> <p>13 A What is his first name? I forget his first</p> <p>14 name. We call each other by last name a lot.</p> <p>15 Q Okay. And is that a male or a female? I</p> <p>16 take it a male by that, but I want to confirm.</p> <p>17 A Male.</p> <p>18 Q Okay. And is Officer Constantino still</p> <p>19 employed?</p> <p>20 A Yes, he's still at the same unit.</p> <p>21 Q Is Constantino with a C or a K?</p>	<p style="text-align: right;">Page 214</p> <p>1 case was dismissed on your own. How did you learn</p> <p>2 that?</p> <p>3 A How did I figure that out?</p> <p>4 Q It was in the Baltimore Sun. Did you</p> <p>5 happen to read it there?</p> <p>6 A No, I didn't read the paper. I think it</p> <p>7 was word of mouth, but I forget who I talked to.</p> <p>8 Q Okay. Did you ever get any documentation</p> <p>9 confirming that it was dismissed? Anything like that?</p> <p>10 A No. I don't remember that. Just heard.</p> <p>11 Q Okay. What was your understanding of why</p> <p>12 the case was dismissed?</p> <p>13 A Time.</p> <p>14 Q Okay. In other words, the Department had</p> <p>15 waited too long to issue the charges more than the</p> <p>16 one-year limitation? Was that your understanding?</p> <p>17 A Yes.</p> <p>18 Q Do you know why they waited so long?</p> <p>19 A I didn't have anything to do with that.</p> <p>20 Don't know.</p> <p>21 Q In other words, you've told me that you</p>

<p style="text-align: right;">Page 215</p> <p>1 were interviewed within a week. I can tell you that</p> <p>2 Ms. Hamlet was pretty, as you might imagine from your</p> <p>3 interactions with her, pretty eager to follow up, as</p> <p>4 well, provided everything that was asked of her in a</p> <p>5 timely manner.</p> <p>6 Do you have any knowledge of at all as to</p> <p>7 why the Department waited until after the deadline to</p> <p>8 charge you?</p> <p>9 MR. GOLDBERG: Objection. Form. Asked and</p> <p>10 answered. You can answer.</p> <p>11 A No.</p> <p>12 Q This one-year deadline is pretty common</p> <p>13 knowledge in the Department, right?</p> <p>14 MR. GOLDBERG: Objection. Form. Calls for</p> <p>15 speculation. You can answer.</p> <p>16 A I would assume.</p> <p>17 Q Yeah. And in particular, in Internal</p> <p>18 Affairs, I mean, they're aware of it as far as you</p> <p>19 know. Is that right?</p> <p>20 MR. GOLDBERG: Objection. Form. You can</p> <p>21 answer.</p>	<p style="text-align: right;">Page 217</p> <p>1 going to make sure this went away? Anything like that?</p> <p>2 MR. GOLDBERG: Objection. Form. Asked and</p> <p>3 answered. You can answer.</p> <p>4 A No.</p> <p>5 Q Other than -- and the one officer, tell me</p> <p>6 again, you had to guess at least at the officer's name,</p> <p>7 tell me again what the name was that had the case for</p> <p>8 Internal Affairs?</p> <p>9 MR. GOLDBERG: Objection. Form. Asked and</p> <p>10 answered. You can answer.</p> <p>11 A It begin with an F. I guess it's a Spanish</p> <p>12 name. It begin with an F.</p> <p>13 Q Okay. Then, not out of disrespect, but</p> <p>14 simply because it's all I have, I'm going to refer to</p> <p>15 him as Officer F. Officer F was a male. Is that</p> <p>16 right?</p> <p>17 A Yes.</p> <p>18 Q And Officer F was, it sounds like, of</p> <p>19 Spanish extraction, is that right, to your eye?</p> <p>20 MR. GOLDBERG: Objection. Form, but you</p> <p>21 can answer.</p>
<p style="text-align: right;">Page 216</p> <p>1 A They should be.</p> <p>2 Q Yeah. Did anybody ever explain to you why</p> <p>3 they waited?</p> <p>4 MR. GOLDBERG: Objection. Form. Asked and</p> <p>5 answered. You can answer.</p> <p>6 A No.</p> <p>7 Q Did you ever ask anybody to wait or ask</p> <p>8 anybody to drop the charges or tell anybody they should</p> <p>9 be dropped or abandoned with the Department?</p> <p>10 MR. GOLDBERG: Objection. Form. Asked and</p> <p>11 answered. You can answer.</p> <p>12 A No.</p> <p>13 Q Why not? If you didn't agree with the</p> <p>14 charges and if today you stand a hundred percent by</p> <p>15 everything you did, why didn't you ask the charges be</p> <p>16 dropped or abandoned or the like?</p> <p>17 MR. GOLDBERG: Objection. Form. You can</p> <p>18 answer.</p> <p>19 A It's their investigation. I just didn't.</p> <p>20 Q All right. Did anybody ever tell you they</p> <p>21 were looking out for you, going to take care of you,</p>	<p style="text-align: right;">Page 218</p> <p>1 A Yeah.</p> <p>2 Q And did he have a Spanish or Hispanic</p> <p>3 sounding name?</p> <p>4 A Yeah, I thought it was Spanish, though.</p> <p>5 Q Okay. I'm asking because I'm trying to</p> <p>6 narrow down who it might be.</p> <p>7 When you say Spanish, do you mean folks who</p> <p>8 come from somewhere south of Texas or are you telling</p> <p>9 me you thought the man was from Spain, the country?</p> <p>10 MR. GOLDBERG: Objection. Form.</p> <p>11 Relevance. You can answer.</p> <p>12 A Spanish as in, I guess -- I don't know</p> <p>13 where he's from, but Spanish meaning Latino, I guess.</p> <p>14 Q Okay. That's fine. That was the</p> <p>15 distinction I was looking for. He's probably from</p> <p>16 Baltimore, right, given that he works for the</p> <p>17 Department.</p> <p>18 Does that person still work for the</p> <p>19 Department?</p> <p>20 A I'm not sure. I thought he retired. I'm</p> <p>21 not sure.</p>

<p style="text-align: right;">Page 219</p> <p>1 Q Okay. Do you know if that person was</p> <p>2 facing any discipline or other issues when Officer F</p> <p>3 retired?</p> <p>4 A No, I don't know.</p> <p>5 Q Other than Officer F did you ever have any</p> <p>6 communication with anybody else in Internal Affairs</p> <p>7 related to these incidents?</p> <p>8 MR. GOLDBERG: Objection. Form. Asked and</p> <p>9 answered. You can answer.</p> <p>10 A No, just Officer F.</p> <p>11 Q Okay. Was there an Internal Affairs</p> <p>12 complaint against you in connection with the lawsuit</p> <p>13 that the City settled where you broke somebody's jaw?</p> <p>14 Did that give rise to an Internal Affairs complaint?</p> <p>15 A Can you -- did that have an Internal</p> <p>16 Affairs complaint?</p> <p>17 Q Yes, sir.</p> <p>18 A Yes.</p> <p>19 Q And what was the outcome of the Internal</p> <p>20 Affairs complaint in that other case?</p> <p>21 A Departmental or?</p>	<p style="text-align: right;">Page 221</p> <p>1 you declined to comment. That phone call would have</p> <p>2 been probably on June 16th or 17th, somewhere in</p> <p>3 that range, of 2019.</p> <p>4 And, you know, who knows. I'm just reading</p> <p>5 it from the paper. You know, I haven't -- it's not</p> <p>6 like I have a recording of it or anything, but is that</p> <p>7 how you found out that the court had ruled to dismiss</p> <p>8 the charges because of the one-year limitation when the</p> <p>9 Baltimore Sun called you?</p> <p>10 A No, I did not speak to them.</p> <p>11 Q Okay. Well, it says you declined to</p> <p>12 comment. Did you get a call from them, if you recall?</p> <p>13 A Yeah, they called and I just had nothing to</p> <p>14 say.</p> <p>15 Q All right. But I'm just wondering. Did</p> <p>16 they say something like, you know, we're calling for</p> <p>17 comment because the charges were dismissed?</p> <p>18 In other words, let me ask you this. By</p> <p>19 the time they called did you already know what the</p> <p>20 outcome was of that hearing?</p> <p>21 A I don't remember the time between the call</p>
<p style="text-align: right;">Page 220</p> <p>1 Q Well, so there was a lawsuit. That was</p> <p>2 settled in 2014. The City agreed to pay about \$55,000.</p> <p>3 I'm asking about the outcome of the</p> <p>4 Internal Affairs complaint which is separate from the</p> <p>5 lawsuit.</p> <p>6 A I didn't receive any punishment or</p> <p>7 reprimand from that.</p> <p>8 Q Okay. But were there any violations found?</p> <p>9 MR. GOLDBERG: Objection. Form. Asked and</p> <p>10 answered.</p> <p>11 A I didn't receive any reprimands from that,</p> <p>12 so.</p> <p>13 Q But do you know whether any violations were</p> <p>14 found? So, for instance, it might have been found that</p> <p>15 you violated the rules, but there was a decision not to</p> <p>16 reprimand you.</p> <p>17 A Oh, I don't know about that part.</p> <p>18 Q Okay. The Baltimore Sun, when the charges</p> <p>19 were dismissed in June of 2019, the Internal Affairs</p> <p>20 charges in this case, when the court threw them out,</p> <p>21 the Baltimore Sun reported that they telephoned you and</p>	<p style="text-align: right;">Page 222</p> <p>1 and -- I don't know if it was after or before. I don't</p> <p>2 know.</p> <p>3 Q And certainly by the time you hung up with</p> <p>4 the Baltimore Sun, on or before, because their article</p> <p>5 ran on -- hang on, I'll get you a date. Their article</p> <p>6 ran in June of 2019. It looks like June 17th. On or</p> <p>7 before the article in the Baltimore Sun you knew about</p> <p>8 it because you either learned about it when the Sun</p> <p>9 called you or you learned about it prior. Is that</p> <p>10 fair?</p> <p>11 MR. GOLDBERG: Objection. Form. Asked and</p> <p>12 answered, but you can answer.</p> <p>13 A It could be fair, yes.</p> <p>14 Q When you were sued for breaking the man's</p> <p>15 jaw, who represented you? Was it a FOP lawyer or a</p> <p>16 lawyer for the City? Do you recall?</p> <p>17 A I assume it was an FOP lawyer.</p> <p>18 Q But you didn't pay for your lawyer then,</p> <p>19 did you?</p> <p>20 MR. GOLDBERG: Objection. Form. Asked and</p> <p>21 answered.</p>

<p style="text-align: right;">Page 223</p> <p>1 Q You were provided a lawyer. Is that right?</p> <p>2 A Yes.</p> <p>3 Q All right. And the same question for this</p> <p>4 case. You were provided a lawyer for this case, as</p> <p>5 well. Is that right?</p> <p>6 MR. GOLDBERG: Objection. Form.</p> <p>7 Relevance. You can answer.</p> <p>8 A Yes.</p> <p>9 Q Okay. And tell me what social media you</p> <p>10 have.</p> <p>11 MR. GOLDBERG: Objection. Form.</p> <p>12 Foundation. You can answer.</p> <p>13 A Just Facebook.</p> <p>14 Q What about Twitter?</p> <p>15 MR. GOLDBERG: Objection. Form. Asked and</p> <p>16 answered. You can answer.</p> <p>17 A No.</p> <p>18 Q And what about Instagram? Do you have an</p> <p>19 Instagram account?</p> <p>20 MR. GOLDBERG: Objection. Form. Asked and</p> <p>21 answered. You can answer.</p>	<p style="text-align: right;">Page 225</p> <p>1 100,000; is that correct?</p> <p>2 A If that's what they had.</p> <p>3 Q Okay. But you don't dispute that. In</p> <p>4 other words, that in 2021, and, in fact, in 2020, you</p> <p>5 made over \$100,000 from the Baltimore City Police</p> <p>6 Department, correct?</p> <p>7 MR. GOLDBERG: Objection to relevancy, but</p> <p>8 you can answer.</p> <p>9 A Yes.</p> <p>10 Q All right. And what do you call your -- do</p> <p>11 you like the term sequence number or badge number or ID</p> <p>12 number? What do you call your number that's assigned</p> <p>13 by the Department?</p> <p>14 A I have both.</p> <p>15 Q Okay. What's your sequence number?</p> <p>16 A Henry, meaning H, 167.</p> <p>17 Q And what's your ID number or badge number,</p> <p>18 whatever you call it?</p> <p>19 A Badge number is 3511.</p> <p>20 Q 3-5-1-1. Is that right?</p> <p>21 A Yep.</p>
<p style="text-align: right;">Page 224</p> <p>1 A No.</p> <p>2 Q What about LinkedIn? Are you on LinkedIn?</p> <p>3 MR. GOLDBERG: Objection. Form. Asked and</p> <p>4 answered. You can answer.</p> <p>5 A No.</p> <p>6 Q You're obviously paid by Baltimore City.</p> <p>7 Is that right?</p> <p>8 A Yes.</p> <p>9 Q And you're aware, of course, that your</p> <p>10 salary is public as a police officer? You're a public</p> <p>11 employee, in other words?</p> <p>12 A Yes.</p> <p>13 Q So there is a website called BPD Watch that</p> <p>14 had your salary in 2021 as north of 90,000; is that</p> <p>15 correct?</p> <p>16 MR. GOLDBERG: Objection. Relevance, but</p> <p>17 you can answer.</p> <p>18 A Yes.</p> <p>19 Q And they had your overtime in 2021 as north</p> <p>20 of 16,000, such that your total pay was over, they have</p> <p>21 it as, 107 and change, but let's call it over a</p>	<p style="text-align: right;">Page 226</p> <p>1 Q Okay. Other than the nicknames we talked</p> <p>2 about previously, have you ever been known by any other</p> <p>3 names other than Damond T. Durant?</p> <p>4 MR. GOLDBERG: Objection. Form. Asked and</p> <p>5 answered. You can answer.</p> <p>6 A Yeah, you asked me that the first day if I</p> <p>7 had nicknames.</p> <p>8 Q I said other than those. Have you ever</p> <p>9 been known by any other names?</p> <p>10 A No, sir.</p> <p>11 Q Let's talk about other lawsuits.</p> <p>12 Have you ever been a party to another</p> <p>13 lawsuit?</p> <p>14 A Party to another lawsuit?</p> <p>15 Q Yeah.</p> <p>16 A My son.</p> <p>17 Q I'm sorry, your son?</p> <p>18 A Yes.</p> <p>19 Q Tell me about your son.</p> <p>20 A He's my son.</p> <p>21 Q You said you have been a party to a lawsuit</p>

<p style="text-align: right;">Page 227</p> <p>1 with him. Is that right?</p> <p>2 A Yes.</p> <p>3 Q Okay. Tell me about that lawsuit. What</p> <p>4 did it involve?</p> <p>5 A Money.</p> <p>6 Q And what were the facts? Who sued who?</p> <p>7 Let's start there. Did you sue or did your son sue?</p> <p>8 MR. GOLDBERG: Objection to relevancy, but</p> <p>9 you can answer.</p> <p>10 A Son sued me.</p> <p>11 Q Okay. About what?</p> <p>12 A Money.</p> <p>13 Q Why did your son sue you for money? What</p> <p>14 was his claim?</p> <p>15 MR. GOLDBERG: Same objection.</p> <p>16 A Inheritance.</p> <p>17 Q Okay. And you're still alive. Where did</p> <p>18 the inheritance come from? What was at issue?</p> <p>19 MR. GOLDBERG: Same objection.</p> <p>20 A His grandmother.</p> <p>21 Q So your mother passed away and there was a</p>	<p style="text-align: right;">Page 229</p> <p>1 Q Okay. And how did that case resolve?</p> <p>2 MR. GOLDBERG: Same objection.</p> <p>3 A He was awarded money.</p> <p>4 Q Okay. How much?</p> <p>5 MR. GOLDBERG: Same objection.</p> <p>6 A 300,000.</p> <p>7 Q So the courts determined that you had taken</p> <p>8 \$300,000 that was due to your son from his maternal</p> <p>9 grandmother. Is that right?</p> <p>10 MR. GOLDBERG: Same objection.</p> <p>11 A No, they awarded him. That wasn't the</p> <p>12 original amount from the money left to him. That was</p> <p>13 not the amount.</p> <p>14 Q Okay. The award was against you, right?</p> <p>15 MR. GOLDBERG: Same objection.</p> <p>16 A Yeah, he got money.</p> <p>17 Q Okay. Did you say, yes, the award was</p> <p>18 against you?</p> <p>19 A Yes.</p> <p>20 Q Okay. And the award was in the amount of</p> <p>21 300,000, roughly. Is that right? Or was that exact?</p>
<p style="text-align: right;">Page 228</p> <p>1 dispute between you and your son over inheritance; is</p> <p>2 that correct?</p> <p>3 MR. GOLDBERG: Same objection.</p> <p>4 A No, his mother's mother. Not my mother.</p> <p>5 Q Oh, I apologize. His maternal grandmother.</p> <p>6 Okay, got it.</p> <p>7 And is his mother still with us?</p> <p>8 A No.</p> <p>9 Q Okay. So when his mother's mother died did</p> <p>10 she have a will?</p> <p>11 MR. GOLDBERG: Objection. Relevance. You</p> <p>12 can answer.</p> <p>13 A I think so, yeah.</p> <p>14 Q Okay. And how did he come to sue you over</p> <p>15 an inheritance? Tell me what happened.</p> <p>16 MR. GOLDBERG: Same objection.</p> <p>17 A He didn't think he got his money.</p> <p>18 Q All right. And did you sue him back? Was</p> <p>19 there a countersuit?</p> <p>20 MR. GOLDBERG: Same objection.</p> <p>21 A No.</p>	<p style="text-align: right;">Page 230</p> <p>1 A Roughly.</p> <p>2 Q And it was money that you had taken from</p> <p>3 the estate. Is that right?</p> <p>4 MR. GOLDBERG: Objection. Relevance. You</p> <p>5 can answer.</p> <p>6 A No, I didn't take \$300,000 from him.</p> <p>7 Q No, sir. From the estate. You got money</p> <p>8 from the estate and the court later determined it was</p> <p>9 due to your son, correct?</p> <p>10 MR. GOLDBERG: Objection. Form.</p> <p>11 Foundation. Relevance. You can answer.</p> <p>12 A I'm not sure if you saying \$300,000 from</p> <p>13 him or --</p> <p>14 Q You keep saying from him. You got money</p> <p>15 from the estate of your wife's mother. Is that right?</p> <p>16 MR. GOLDBERG: Objection. Form. Asked and</p> <p>17 answered. You can answer.</p> <p>18 A No, I'm only married now. I've only been</p> <p>19 married once.</p> <p>20 Q I'm sorry, that was from your son's mother?</p> <p>21 MR. GOLDBERG: Same objection.</p>

<p style="text-align: right;">Page 231</p> <p>1 A Yes.</p> <p>2 Q And the court determined that money should</p> <p>3 have gone to your son, right?</p> <p>4 MR. GOLDBERG: Same objection.</p> <p>5 A I don't know what the court determined</p> <p>6 because I never got a chance to go to court.</p> <p>7 Q Well, you told me that there was a judgment</p> <p>8 awarded against you in favor of your son for 300,000,</p> <p>9 right?</p> <p>10 A Yes.</p> <p>11 MR. GOLDBERG: Objection. Form, and I</p> <p>12 don't think that he's testified that it was against</p> <p>13 him. I think he's actually specifically rebuffed that</p> <p>14 part of your question each time.</p> <p>15 MR. HANSEL: I don't think so.</p> <p>16 Q The award was against you, right?</p> <p>17 A Meaning, they taking money from me?</p> <p>18 Q Where did the money come from -- did your</p> <p>19 son get money out of the lawsuit? Did money go to your</p> <p>20 son?</p> <p>21 A He's getting money.</p>	<p style="text-align: right;">Page 233</p> <p>1 him. It didn't get to go to court. I don't know</p> <p>2 exactly, but they awarded him that money. I didn't get</p> <p>3 to go to court. I didn't go to court, so I didn't hear</p> <p>4 or they didn't hear my side or any other but his side.</p> <p>5 Q Well, you had a lawyer in the case, right?</p> <p>6 MR. GOLDBERG: Objection. Form. You can</p> <p>7 answer.</p> <p>8 A No, sir.</p> <p>9 Q All right. And did you file any papers in</p> <p>10 the case?</p> <p>11 MR. GOLDBERG: Objection. Form. You can</p> <p>12 answer.</p> <p>13 A No, sir.</p> <p>14 Q All right. And so back to my original</p> <p>15 question. I'm just trying to understand how this</p> <p>16 happened.</p> <p>17 How did you get money from the estate of</p> <p>18 your son's mother? How did you get the money to begin</p> <p>19 with?</p> <p>20 MR. GOLDBERG: Objection to relevancy, but</p> <p>21 you can answer.</p>
<p style="text-align: right;">Page 232</p> <p>1 Q Okay. And it's this approximate 300,000</p> <p>2 that we're talking about. Is that right?</p> <p>3 A Yes.</p> <p>4 Q Okay. Where is the money coming from that</p> <p>5 he's getting?</p> <p>6 A My check.</p> <p>7 Q Right. So the money is coming from you to</p> <p>8 your son, right?</p> <p>9 A Yes.</p> <p>10 Q Okay. And you got the money from the</p> <p>11 estate of your son's mother. Is that right?</p> <p>12 MR. GOLDBERG: Objection. Form. Asked and</p> <p>13 answered. You can answer.</p> <p>14 A He received money from his grandmother, but</p> <p>15 he received his money from his grandmother.</p> <p>16 Q I'm asking about the check you're supposed</p> <p>17 to write him. Why are you supposed to write him a</p> <p>18 \$300,000 check to the best of your understanding?</p> <p>19 MR. GOLDBERG: Objection to form. You can</p> <p>20 answer.</p> <p>21 A The judge -- I guess the judge settled with</p>	<p style="text-align: right;">Page 234</p> <p>1 A He was a minor.</p> <p>2 Q What's your son's birth date?</p> <p>3 MR. GOLDBERG: Objection. Form.</p> <p>4 Relevancy. And I'm not necessarily directing my client</p> <p>5 not to answer, but if he doesn't want -- I would</p> <p>6 understand if he doesn't want to put his son's birth</p> <p>7 date on the record.</p> <p>8 MR. HANSEL: What year was your son born?</p> <p>9 MR. GOLDBERG: Thank you.</p> <p>10 A When was he born. I know, I sound like a</p> <p>11 bad father. I'm getting his birthday mixed with my</p> <p>12 birthday.</p> <p>13 Q Just give a year. What year was your son</p> <p>14 born?</p> <p>15 A I think '90's.</p> <p>16 Q Within the '90's? Do you know what year he</p> <p>17 was born?</p> <p>18 A No.</p> <p>19 Q Okay. Was it mid '90's, early 90's,</p> <p>20 late '90's?</p> <p>21 A Probably mid 90's.</p>

<p style="text-align: right;">Page 235</p> <p>1 Q And when did his mother pass?</p> <p>2 A I don't know exactly about that.</p> <p>3 Q What year?</p> <p>4 A Don't remember.</p> <p>5 Q Okay. So even if your son was born in '99,</p> <p>6 ten years after '99 would have been '09, another eight</p> <p>7 years would have been 2017. So even if he was born</p> <p>8 in '99 you agree with me he would have been 18 by the</p> <p>9 year 2017, right?</p> <p>10 MR. GOLDBERG: Objection to relevance, but</p> <p>11 you can answer.</p> <p>12 A Yes.</p> <p>13 Q Is that right?</p> <p>14 MR. GOLDBERG: Same objection.</p> <p>15 A Yes, okay.</p> <p>16 Q So we can agree that your son was not a</p> <p>17 minor as of 2017. Is that correct, sir?</p> <p>18 MR. GOLDBERG: Same objection. You can</p> <p>19 answer.</p> <p>20 A The reason why they gave the money to me,</p> <p>21 because he was a minor. That's what I remember.</p>	<p style="text-align: right;">Page 237</p> <p>1 it in trust for your son and use it for his benefit?</p> <p>2 A Yes.</p> <p>3 Q Okay. And then when he turned 18 you</p> <p>4 refused to give him the money. Is that right?</p> <p>5 A No.</p> <p>6 Q So when he turned 18 you handed it over?</p> <p>7 A No, he was going through the money.</p> <p>8 Q He was what?</p> <p>9 A Going through the money.</p> <p>10 Q No, sir. When he turned 18 did you give</p> <p>11 him the money or did you keep it?</p> <p>12 A No, I didn't keep it. I gave him money.</p> <p>13 Q All of it. Not money, not some money.</p> <p>14 When he turned 18 did you give him all of this money or</p> <p>15 not?</p> <p>16 A No, because he was using the money during</p> <p>17 the time and we fought about it all the way up until --</p> <p>18 Q Whose account was it in on his 18th</p> <p>19 birthday?</p> <p>20 A Mine.</p> <p>21 Q Okay. Whose account was it in on his</p>
<p style="text-align: right;">Page 236</p> <p>1 Q And who gave you this money?</p> <p>2 MR. GOLDBERG: Same objection. You can</p> <p>3 answer.</p> <p>4 A The lawyer.</p> <p>5 Q What lawyer?</p> <p>6 A I guess her --</p> <p>7 MR. GOLDBERG: Same objection. Cary, would</p> <p>8 are you grant me a continuing relevancy objection as to</p> <p>9 this entire line of questioning?</p> <p>10 MR. HANSEL: Sure, no problem.</p> <p>11 MR. GOLDBERG: Thanks.</p> <p>12 THE WITNESS: I'm ready.</p> <p>13 Q Yeah. So who gave you the money?</p> <p>14 A Her lawyer, the grandmother's lawyer.</p> <p>15 Q Well, was she -- had she passed when you</p> <p>16 got the money?</p> <p>17 A Yeah, it was a will.</p> <p>18 Q Okay. So it was a lawyer for her estate,</p> <p>19 you think, gave you money?</p> <p>20 A Yes.</p> <p>21 Q And did you understand you needed to keep</p>	<p style="text-align: right;">Page 238</p> <p>1 19th birthday?</p> <p>2 A Mine.</p> <p>3 Q Okay. And it's still in your account,</p> <p>4 right?</p> <p>5 A What do you mean?</p> <p>6 Q The money. Have you given him the 300,000?</p> <p>7 A No, that's coming out of my check.</p> <p>8 Q Right. And it's coming out of your check</p> <p>9 because he has to collect it that way because you spent</p> <p>10 the money. Isn't that right?</p> <p>11 A No.</p> <p>12 Q Okay. So you still have the money sitting</p> <p>13 around somewhere that you could give him, but you're</p> <p>14 making him get it out of your check. Is that right?</p> <p>15 A No.</p> <p>16 Q Well, explain that to me. Where is the</p> <p>17 money?</p> <p>18 A He spent it.</p> <p>19 Q Okay. How did he spend it if it was in</p> <p>20 your account?</p> <p>21 A It was his money. He would ask for money</p>

<p style="text-align: right;">Page 239</p> <p>1 and I would give it to him.</p> <p>2 Q So you gave your son, while he was a minor,</p> <p>3 a total of \$300,000?</p> <p>4 A No, that's not the original amount. No.</p> <p>5 Q What's the original amount?</p> <p>6 A The original amount was, like, 60-some;</p> <p>7 60,000.</p> <p>8 Q Okay. Why did the court rule that you owed</p> <p>9 him 300,000?</p> <p>10 A I wasn't there. I don't know.</p> <p>11 Q Okay. So you're telling me you gave your</p> <p>12 son 60,000 while he was still a minor out of your</p> <p>13 account to just let him spend. \$60,000. Is that</p> <p>14 right?</p> <p>15 A Pretty much.</p> <p>16 Q Okay. What did he spend \$60,000 on while</p> <p>17 he was a minor?</p> <p>18 A He would buy clothes, he bought a couple --</p> <p>19 he bought cars.</p> <p>20 Q Okay. So you let your son, a minor, buy</p> <p>21 clothes and cars in the amount of \$60,000. Do I have</p>	<p style="text-align: right;">Page 241</p> <p>1 involved in?</p> <p>2 MR. GOLDBERG: Cary, would this be a good</p> <p>3 time to request, like, a five-minute break?</p> <p>4 MR. HANSEL: Yeah, sure. No problem.</p> <p>5 First, let's go off the record and then we'll see how</p> <p>6 long people need a break. I always like to include the</p> <p>7 court reporter.</p> <p>8 MR. GOLDBERG: Good call.</p> <p>9 THE REPORTER: Thank you.</p> <p>10 MR. HANSEL: So we'll go off.</p> <p>11 (A discussion was held off the record.)</p> <p>12 (There was a brief recess taken.)</p> <p>13 MR. HANSEL: We'll go back on the record,</p> <p>14 then.</p> <p>15 BY MR. HANSEL:</p> <p>16 Q Officer, we have talked a little bit about</p> <p>17 the case with your son. Tell me about other lawsuits</p> <p>18 you have been a party to.</p> <p>19 A Which one do you want to know about? I'm</p> <p>20 not sure.</p> <p>21 Q Yeah, well, let's just make a list. How</p>
<p style="text-align: right;">Page 240</p> <p>1 that right?</p> <p>2 A I don't know what it came to, but he spent</p> <p>3 that money.</p> <p>4 Q And how many cars did he buy while he was a</p> <p>5 minor with this \$60,000?</p> <p>6 A He probably had three cars.</p> <p>7 Q Three cars. And what was the most</p> <p>8 expensive one? The make and model.</p> <p>9 A I don't remember.</p> <p>10 Q All right. Were any of them fancy?</p> <p>11 A No, not really.</p> <p>12 Q Were they used cars?</p> <p>13 A Yeah.</p> <p>14 Q Okay. Did any of them cost, say, more than</p> <p>15 \$5,000?</p> <p>16 A Don't know.</p> <p>17 Q So how did he spend \$60,000 on three, not</p> <p>18 fancy used cars and clothes before his 18th birthday?</p> <p>19 Explain that to me.</p> <p>20 A I can't.</p> <p>21 Q Okay. What other lawsuits have you been</p>	<p style="text-align: right;">Page 242</p> <p>1 many lawsuits have you been a party to?</p> <p>2 A I think that's it. I'm not sure.</p> <p>3 Q Okay. Well, wait a minute. Let's think</p> <p>4 about this. We have talked about the one where you</p> <p>5 broke a man's jaw. We have talked about the one with</p> <p>6 your son. You're obviously a party to the current</p> <p>7 lawsuit with Jawone Nicholson.</p> <p>8 Have you ever been a party to any other</p> <p>9 lawsuits other than those three?</p> <p>10 A They're the ones that I remember.</p> <p>11 Q Okay. So as far as you remember you</p> <p>12 haven't been party to any other lawsuits besides those</p> <p>13 three. Is that right?</p> <p>14 A They're the ones that I remember. Is there</p> <p>15 a particular one you have that will maybe jog my</p> <p>16 memory? I'm not sure.</p> <p>17 Q Sir, I'm just seeing you're willing to --</p> <p>18 I'm just trying to determine what you're willing to</p> <p>19 tell me here without me having to pull up documents.</p> <p>20 Are there any other lawsuits you have ever</p> <p>21 been a party to besides the three we have talked about?</p>

<p style="text-align: right;">Page 243</p> <p>1 A I don't know because what is relevant to</p> <p>2 me. I'm not sure.</p> <p>3 Q I'm not asking you what's relevant. Have</p> <p>4 you ever been a party to any other lawsuits other than</p> <p>5 the three we have already talked about?</p> <p>6 A Just, like, car accidents.</p> <p>7 Q All right. How many of those?</p> <p>8 A There is a workers' comp. One recently</p> <p>9 that I was in a car accident on 95. That's what I</p> <p>10 remember.</p> <p>11 Q Okay. Any other lawsuits besides car</p> <p>12 accident and workers' comp? And other than what we</p> <p>13 have already talked about.</p> <p>14 A I don't know.</p> <p>15 Q So is your answer, no, nothing else?</p> <p>16 A That I remember, no.</p> <p>17 Q Okay. Have you ever filed bankruptcy</p> <p>18 proceedings in the United States District Court,</p> <p>19 bankruptcy court for Maryland?</p> <p>20 A Yeah, I didn't think that was a lawsuit.</p> <p>21 Q Okay. And in the bankruptcy your main debt</p>	<p style="text-align: right;">Page 245</p> <p>1 of objections without trying to speak too much, Cary.</p> <p>2 The first is, I would levy the same evidentiary</p> <p>3 objection as to your reliance on a document not</p> <p>4 produced in discovery, and, relevance. And if you</p> <p>5 would grant me a continuing objection as to relevancy,</p> <p>6 I won't have to object on each question as such.</p> <p>7 MR. HANSEL: Yeah, sure.</p> <p>8 MR. GOLDBERG: And obviously, you just</p> <p>9 continue to ask your question.</p> <p>10 MR. HANSEL: No problem.</p> <p>11 BY MR. HANSEL:</p> <p>12 Q Officer, you recognize this as an opinion</p> <p>13 by the bankruptcy court in your bankruptcy case, right?</p> <p>14 A Yes, you said it's my bankruptcy, yes.</p> <p>15 Q All right. And it says here that you and</p> <p>16 your wife listed approximately 452,000 in debt and then</p> <p>17 the court says: The overwhelming majority of this debt</p> <p>18 relates to a single judgment entered against the</p> <p>19 defendant.</p> <p>20 And that refers to the judgment entered</p> <p>21 against you by your son. Is that right?</p>
<p style="text-align: right;">Page 244</p> <p>1 that you were seeking to avoid was the judgment in</p> <p>2 favor of your son. Is that right?</p> <p>3 A Main debt? No, there was a bunch of them.</p> <p>4 Q All right. Well, let's see if I can share</p> <p>5 my screen again.</p> <p>6 All right. And I'm showing you, sir, a</p> <p>7 case text search for Durant versus Durant, also known</p> <p>8 as In Re: Durant. And this is an opinion by Judge</p> <p>9 Harner, who is a U.S. Bankruptcy judge.</p> <p>10 You recognize this as related to your case,</p> <p>11 right? Here under relevant background, it says:</p> <p>12 Damond Durant, Sr. and Sharae Durant filed this</p> <p>13 Chapter 7 bankruptcy on July 28, 2017. The debtors</p> <p>14 listed approximately 452,000 in debt.</p> <p>15 Do you see all that?</p> <p>16 A Uh-huh.</p> <p>17 Q Is that a yes, sir?</p> <p>18 A Yes.</p> <p>19 Q And you recognize this opinion as being an</p> <p>20 opinion in your bankruptcy case, right?</p> <p>21 MR. GOLDBERG: I'm going to levy a couple</p>	<p style="text-align: right;">Page 246</p> <p>1 A That's what it says.</p> <p>2 Q Okay. And you agree with that, don't you?</p> <p>3 A Yes, that's what it says.</p> <p>4 Q No, but it's true, though, that the</p> <p>5 overwhelming majority of the debt relates to the single</p> <p>6 judgment entered against you in favor of your son?</p> <p>7 A Yes.</p> <p>8 Q Right. In other words, the bankruptcy was</p> <p>9 over 452,000 and you told me you thought the judgment</p> <p>10 in favor of your son was 300, so the vast majority of</p> <p>11 it involves the issue with your son, right?</p> <p>12 A Yes.</p> <p>13 Q Okay. And earlier you said you thought the</p> <p>14 inheritance was about 60,000. The court here says it</p> <p>15 was 75,803.83 and for that the court is citing</p> <p>16 transcripts of the state court hearings.</p> <p>17 Does this refresh your recollection that</p> <p>18 the amount left to your son was actually 75,803.83?</p> <p>19 A Yeah, I said it was around 60. That's the</p> <p>20 amount that was totaled because it came in separate</p> <p>21 checks.</p>

<p style="text-align: right;">Page 247</p> <p>1 Q And it says here that when your son turned</p> <p>2 21 years old that you gave him a hundred dollars and</p> <p>3 then told him the rest of the money was gone and he</p> <p>4 should do whatever he needed to do.</p> <p>5 Is that what happened?</p> <p>6 A I don't remember that part.</p> <p>7 Q Okay. Did you give him a hundred dollars</p> <p>8 when he turned 21?</p> <p>9 A I gave him money all the time.</p> <p>10 Q All right. Is this your Facebook page? Do</p> <p>11 you recognize it here? It says Damond Durant?</p> <p>12 A Yeah, that's me.</p> <p>13 Q Is there any chance this you on this bike</p> <p>14 here?</p> <p>15 A No, sir.</p> <p>16 MR. GOLDBERG: I'm going to levy the same</p> <p>17 objection as before as to the discovery and same</p> <p>18 relevancy objection, if you grant it for me, Cary.</p> <p>19 MR. HANSEL: No problem.</p> <p>20 MR. GOLDBERG: Thanks.</p> <p>21 Q I just was wondering. Is this you on this</p>	<p style="text-align: right;">Page 249</p> <p>1 A I guess it was in the 30's.</p> <p>2 Q Okay. And what other vehicles did you have</p> <p>3 at the time of the incident with Mr. Nicholson?</p> <p>4 A Mr. Nicholson I had a pickup truck.</p> <p>5 Q Okay. That was an F-150, I think?</p> <p>6 A No, that was a RAM 1500.</p> <p>7 Q Okay. What did that cost you, you think?</p> <p>8 A The RAM?</p> <p>9 Q Yes.</p> <p>10 A 27, 30's, I think.</p> <p>11 Q So now we have talked about the broken jaw</p> <p>12 case, the case with your son, the case with</p> <p>13 Mr. Nicholson, the bankruptcy case. You mentioned comp</p> <p>14 and car accidents. We're going to get into those.</p> <p>15 What other lawsuits have you ever been a</p> <p>16 party to?</p> <p>17 A That's about it that I can remember.</p> <p>18 Q Okay. The judge in the bankruptcy court</p> <p>19 quotes some findings that the Circuit Court judge made</p> <p>20 here, and these are cited to the Circuit Court</p> <p>21 transcript. You see the Circuit Court judge said that</p>
<p style="text-align: right;">Page 248</p> <p>1 bike? I couldn't hear your answer.</p> <p>2 A No, that's not me.</p> <p>3 Q But you certainly have a motorcycle, right?</p> <p>4 A Yes.</p> <p>5 Q What kind of motorcycle do you have?</p> <p>6 A A sport bike. That's it right there.</p> <p>7 Q Okay. So you have GSX-R K8 1000. Is that</p> <p>8 right?</p> <p>9 A Yes.</p> <p>10 Q And what did that bike cost you?</p> <p>11 A I'm going to say 14.</p> <p>12 Q \$14,000?</p> <p>13 A Uh-huh.</p> <p>14 Q Is that a yes?</p> <p>15 A Yes.</p> <p>16 Q And you had, at the time of these events</p> <p>17 anyway, a pickup truck, also. Is that right?</p> <p>18 A Did I have a pickup truck. I think I</p> <p>19 had -- I think I had my -- I had a Yukon, I think, at</p> <p>20 that time.</p> <p>21 Q Okay. What did the Yukon cost you?</p>	<p style="text-align: right;">Page 250</p> <p>1 your conduct was reprehensible.</p> <p>2 Do you see that?</p> <p>3 A What case is this?</p> <p>4 Q This is the bankruptcy court quoting the</p> <p>5 Circuit Court judge in the case brought by your son.</p> <p>6 And the Baltimore City Circuit Court judge said your</p> <p>7 conduct was reprehensible.</p> <p>8 Do you see that?</p> <p>9 A I see it.</p> <p>10 Q And then the Circuit Court judge also said</p> <p>11 the fact that the Defendant made repeated statements to</p> <p>12 the Plaintiff, that's your son, knowing full well that</p> <p>13 they were false, that he couldn't touch the money while</p> <p>14 he was spending it on himself, clearly shows, by clear</p> <p>15 and convincing evidence, there was actual malice that</p> <p>16 you knew what you were doing. That you knew exactly</p> <p>17 what you were doing.</p> <p>18 Do you see that?</p> <p>19 A I see it.</p> <p>20 Q Okay. And you're certainly aware of these</p> <p>21 rulings by the Circuit Court, aren't you?</p>

<p style="text-align: right;">Page 251</p> <p>1 A No, sir.</p> <p>2 Q And you are aware of the Circuit Court</p> <p>3 proceedings when they happened, right?</p> <p>4 A No, sir.</p> <p>5 Q Did you ever challenge the Circuit Court</p> <p>6 proceedings based on the theory that you weren't aware</p> <p>7 of them?</p> <p>8 A I did not because I was told that it</p> <p>9 couldn't reverse. But I never was in court. I got</p> <p>10 served with a court notice the day of or the day</p> <p>11 before, so I wasn't able to get in court. I never was</p> <p>12 present.</p> <p>13 Q Did you ask for time off to go?</p> <p>14 A For time off? From work?</p> <p>15 Q Yeah.</p> <p>16 A No.</p> <p>17 Q Okay. And the majority of that award,</p> <p>18 227,000, was in punitive damages.</p> <p>19 Do you see that?</p> <p>20 A Yeah, I see it.</p> <p>21 Q Okay. And then to try to avoid paying your</p>	<p style="text-align: right;">Page 253</p> <p>1 A No, they're the ones that come across that</p> <p>2 I remember.</p> <p>3 Q When you say a kid -- you said a kid came</p> <p>4 across. Tell me about that.</p> <p>5 A Off course. That was a student went off</p> <p>6 course.</p> <p>7 Q What do you mean went off course? In other</p> <p>8 words, tell me what you mean by that.</p> <p>9 A Meaning he drove off course. Off of the</p> <p>10 street into the grass.</p> <p>11 Q Okay. And he struck you with a car?</p> <p>12 A No, I was a passenger in the car.</p> <p>13 Q Okay. All right. And were you on duty at</p> <p>14 that time?</p> <p>15 A Yes.</p> <p>16 Q And so that was the comp claim. Is that</p> <p>17 right?</p> <p>18 A Yes, sir.</p> <p>19 Q Okay. Have you ever been involved in any</p> <p>20 other lawsuits other than what we have now talked</p> <p>21 about?</p>
<p style="text-align: right;">Page 252</p> <p>1 son that money, you filed this bankruptcy. Is that</p> <p>2 right?</p> <p>3 MR. GOLDBERG: Objection. Form. You can</p> <p>4 answer.</p> <p>5 A Well, he was getting money before the</p> <p>6 bankruptcy.</p> <p>7 Q Right. And to try to avoid paying him the</p> <p>8 rest of it you filed the bankruptcy. Is that right?</p> <p>9 MR. GOLDBERG: Objection. Form. You can</p> <p>10 answer.</p> <p>11 A Yeah, I filed bankruptcy.</p> <p>12 Q What other lawsuits have you been a party</p> <p>13 to that we haven't already talked about?</p> <p>14 A Like I said, just the ones that I</p> <p>15 mentioned. That's the ones that come to mind.</p> <p>16 Q Okay. Let's talk about, you said there</p> <p>17 were car accidents. Tell me about the car accidents.</p> <p>18 A A car hit me on 95. A truck hit me on 95.</p> <p>19 But that's in progress now. Workers' comp, a kid drove</p> <p>20 off course. That just ended. They are the two.</p> <p>21 Q Anything else?</p>	<p style="text-align: right;">Page 254</p> <p>1 A That I can remember. Because I didn't</p> <p>2 think the bankruptcy was a suit. So, what I can</p> <p>3 remember.</p> <p>4 Q Okay. And what about criminal charges?</p> <p>5 Have you ever been charged with a crime?</p> <p>6 A No.</p> <p>7 Q Have you ever been charged with a crime in</p> <p>8 Virginia?</p> <p>9 A I'm not sure what you're talking about,</p> <p>10 sir.</p> <p>11 Q Well, it took you a long time to answer</p> <p>12 that. I could answer you immediately. I've never been</p> <p>13 charged with a crime in Virginia. Why did it take you</p> <p>14 so long to answer?</p> <p>15 A Because you're -- obviously, I guess, you</p> <p>16 know something. I don't remember anything in Virginia.</p> <p>17 I've never been committed of a crime. I wouldn't be a</p> <p>18 police officer if I was committed of a crime.</p> <p>19 Q I'm not sure what committed of a crime</p> <p>20 means. I think you mean convicted, but set that aside</p> <p>21 for a minute because it's not what I'm asking.</p>

<p style="text-align: right;">Page 255</p> <p>1 Have you ever been charged with a crime</p> <p>2 anywhere? Let's start there and then I'm going to ask</p> <p>3 in Virginia.</p> <p>4 A Not that I remember, no.</p> <p>5 Q Have you ever been charged with a crime in</p> <p>6 the State of Virginia?</p> <p>7 A I don't remember. Is it a vehicle or</p> <p>8 something? I'm not sure. But I don't remember</p> <p>9 committing a crime in Virginia.</p> <p>10 Q Sir, I'm not asking if you committed a</p> <p>11 crime, sir. I'm asking, have you ever been charged</p> <p>12 with a crime in Virginia?</p> <p>13 MR. GOLDBERG: Objection. Form. Asked and</p> <p>14 answered. He's testified he doesn't remember.</p> <p>15 MR. HANSEL: If he says that clearly under</p> <p>16 oath, then we'll --</p> <p>17 MR. GOLDBERG: I think he said it pretty</p> <p>18 clearly, but you can answer.</p> <p>19 Q Go ahead. Have you ever been charged with</p> <p>20 a crime in Virginia?</p> <p>21 A I don't remember.</p>	<p style="text-align: right;">Page 257</p> <p>1 into Maryland Case Search I pulled up the results here.</p> <p>2 There are 268 items come up.</p> <p>3 Can you see this all on your screen?</p> <p>4 A Yes.</p> <p>5 Q And looking at these cases there is one</p> <p>6 here, Damond T. Durant. It's a contract case from</p> <p>7 2017. LCS Financial Services versus Damond T. Durant.</p> <p>8 Do you see that, sir?</p> <p>9 A Yeah. Yeah, I see what you got.</p> <p>10 Q And it listed an address of Gresham Wary,</p> <p>11 Baltimore.</p> <p>12 Do you see that?</p> <p>13 A No. Oh, yes, Gresham Way?</p> <p>14 Q Yeah. It says Wary, but it's certainly</p> <p>15 supposed to say Way.</p> <p>16 You agree with me this is you that's</p> <p>17 involved in this case, right?</p> <p>18 MR. GOLDBERG: Same objection as to the</p> <p>19 other exhibits and a request to continuing relevancy</p> <p>20 objection as to this line of questioning.</p> <p>21 MR. HANSEL: Sure, I'll recognize it.</p>
<p style="text-align: right;">Page 256</p> <p>1 Q Okay. What did you mean when you said</p> <p>2 maybe with a vehicle or something or you made some</p> <p>3 reference to a vehicle or something?</p> <p>4 A I was asking. Because charged with a crime</p> <p>5 in a violation? I don't know what you mean.</p> <p>6 Q Okay. Have you ever had any type of legal</p> <p>7 issue in Virginia at all?</p> <p>8 A No.</p> <p>9 Q What were you thinking about when you said</p> <p>10 maybe with a vehicle or something?</p> <p>11 A Like, I was speculating, trying to see what</p> <p>12 you were wanting me to answer because I don't remember</p> <p>13 anything in Virginia.</p> <p>14 MR. HANSEL: All right. Give me just a</p> <p>15 second. I'm going to share my screen here.</p> <p>16 Q You're familiar with Case Search, right?</p> <p>17 Maryland Case Search?</p> <p>18 A Yes.</p> <p>19 Q You have used that before, haven't you?</p> <p>20 A Yes.</p> <p>21 Q All right. So when I put Damond Durant</p>	<p style="text-align: right;">Page 258</p> <p>1 Q You agree that this is you, right, sir?</p> <p>2 A Can you scroll up for me?</p> <p>3 Q Yeah, sure. I can't go up higher. I can</p> <p>4 go down. So the Defendant is Damond T. Durant at 2704</p> <p>5 Gresham Way.</p> <p>6 Have you ever lived at 2704 Gresham way?</p> <p>7 A Hello?</p> <p>8 Q Yes, sir. Have you ever lived at 2704</p> <p>9 Gresham way?</p> <p>10 A Yes.</p> <p>11 Q And so you agree with me that the Damond T.</p> <p>12 Durant of 2704 Gresham Way that's referenced here on</p> <p>13 Case Search in connection with this lawsuit is you,</p> <p>14 right?</p> <p>15 A No. My son has the same exact name.</p> <p>16 Q Okay.</p> <p>17 A No.</p> <p>18 Q Do you think your son, in 2017, was sued by</p> <p>19 LCS Financial Services Corporation?</p> <p>20 A I don't remember this or -- I don't</p> <p>21 remember what this.</p>

<p style="text-align: right;">Page 259</p> <p>1 Q He would have been barely 18.</p> <p>2 A Yeah. No, then yes, that's me.</p> <p>3 Q Okay. So this is at least one lawsuit that</p> <p>4 we didn't talk about earlier. Tell me about this case.</p> <p>5 A I couldn't because I have no idea what this</p> <p>6 is.</p> <p>7 Q And you don't know what LCS Financial</p> <p>8 Services is?</p> <p>9 A I guess it's a company.</p> <p>10 Q Do you know what they do?</p> <p>11 A No.</p> <p>12 Q Okay. Going back to the 200-plus cases</p> <p>13 here where you're listed, you're listed as a party in a</p> <p>14 civil case called State of Maryland versus Eubanks.</p> <p>15 What can you tell me about that?</p> <p>16 A Mr. Eubanks broke into my vehicle, stole</p> <p>17 property.</p> <p>18 Q Okay. And you sued him?</p> <p>19 A No, I didn't sue him. He was being placed</p> <p>20 under arrest. They was looking for him. I didn't sue</p> <p>21 anybody.</p>	<p style="text-align: right;">Page 261</p> <p>1 address listed on Fulton Avenue, date of birth, same as</p> <p>2 yours, who had a traffic violation in, it looks like,</p> <p>3 year 2000 on Case Search.</p> <p>4 Do you see that?</p> <p>5 A Okay.</p> <p>6 Q Tell me what that was about. It says you</p> <p>7 got a PBJ. You hired a defense attorney, Marsden</p> <p>8 Coates.</p> <p>9 A It was a traffic.</p> <p>10 Q So were you driving on a suspended license?</p> <p>11 A That's what it says.</p> <p>12 Q Okay. How had your licensed come to be</p> <p>13 suspended?</p> <p>14 A I don't remember that.</p> <p>15 Q And you were certainly charged with driving</p> <p>16 on a suspended license. Is that right?</p> <p>17 A Yep, that's what it's saying.</p> <p>18 Q And you had to hire a lawyer for that. Is</p> <p>19 that right?</p> <p>20 A Yes.</p> <p>21 Q And you paid court costs of 105 and a fine</p>
<p style="text-align: right;">Page 260</p> <p>1 Q All right. And he was ordered to pay some</p> <p>2 restitution, I take it, then, based on your</p> <p>3 description? Is that right?</p> <p>4 A I didn't receive anything. He was just</p> <p>5 being arrested.</p> <p>6 Q Do you know if he was ordered to pay any</p> <p>7 restitution?</p> <p>8 A No, no.</p> <p>9 MR. GOLDBERG: Counsel, rather than me</p> <p>10 having to renew the relevancy objection on all of the</p> <p>11 Maryland Judiciary Case Search files you bring up, I'm</p> <p>12 going to levy that objection if you grant it.</p> <p>13 MR. HANSEL: No problem. I'll recognize a</p> <p>14 continuing objection there. No problem.</p> <p>15 MR. GOLDBERG: Thank you.</p> <p>16 BY MR. HANSEL:</p> <p>17 Q Have you ever lived at Fulton Avenue?</p> <p>18 A Yes, sir. Born and raised.</p> <p>19 Q Okay. And is your date of birth 2/22/1972?</p> <p>20 A Yes, sir.</p> <p>21 Q So there is a Damond Tremmell Durant,</p>	<p style="text-align: right;">Page 262</p> <p>1 of 305. Is that right?</p> <p>2 A That's what it says, yes.</p> <p>3 Q And you pled guilty. In other words, you</p> <p>4 don't dispute that you were driving on a suspended</p> <p>5 license, do you? You plead guilty, right?</p> <p>6 A Yeah, if the license was suspended it was</p> <p>7 suspended, yes.</p> <p>8 THE REPORTER: Excuse me, Cary. You just</p> <p>9 said 305. Did you mean 3-5-0?</p> <p>10 MR. HANSEL: I did. Let's clear that up.</p> <p>11 BY MR. HANSEL:</p> <p>12 Q Officer Durant, apparently I may have</p> <p>13 misspoken.</p> <p>14 You agree with me you were fined and paid</p> <p>15 \$350 in connection with your guilty plea for a driving</p> <p>16 on a suspended license?</p> <p>17 A Yes.</p> <p>18 THE REPORTER: Thank you.</p> <p>19 Q Okay. Now, earlier when I asked you if you</p> <p>20 had ever been charged with anything, you said, no. And</p> <p>21 here you had a defense attorney, you had a hearing, you</p>

<p style="text-align: right;">Page 263</p> <p>1 entered a plea, you paid over \$450.</p> <p>2 Why didn't you mention this earlier when I</p> <p>3 asked?</p> <p>4 A Because what I remember is what I remember.</p> <p>5 That was when?</p> <p>6 Q December of 2000.</p> <p>7 A That's a long time ago. And it's traffic,</p> <p>8 so I'm not sure if that count for as that's what you</p> <p>9 were talking about.</p> <p>10 Q Have you ever been charged with any</p> <p>11 violation of law in the history of the world other than</p> <p>12 what we have already spoken about?</p> <p>13 A Of course, because it's right there.</p> <p>14 Q But now we have spoken about this one.</p> <p>15 Other than what we have spoken about now,</p> <p>16 have you ever been charged with any violation of law in</p> <p>17 the history of the world?</p> <p>18 A Probably, yeah, I would assume so because</p> <p>19 you have it all right there.</p> <p>20 Q All right. Now, tell me about your other</p> <p>21 criminal charges in the history of the world or any</p>	<p style="text-align: right;">Page 265</p> <p>1 A No, that's not -- no.</p> <p>2 Q Okay. All right. So did you ever have a</p> <p>3 Pennsylvania Avenue address in Upper Marlboro?</p> <p>4 A No.</p> <p>5 Q Okay. Do you know anything about a</p> <p>6 foreclosure case? Did you ever own property there?</p> <p>7 A In Upper Marlboro?</p> <p>8 Q Let's just say on any Pennsylvania Avenue</p> <p>9 anywhere. They have Upper Marlboro, but sometimes it</p> <p>10 might be right outside.</p> <p>11 A Never lived in Upper Marlboro, no.</p> <p>12 Q Did you ever own any property on a</p> <p>13 Pennsylvania Avenue?</p> <p>14 A No.</p> <p>15 Q Okay. There is a foreclosure case called</p> <p>16 Fischer versus Durant filed in '08. And it's against</p> <p>17 Damond T. Durant.</p> <p>18 What do you know about that case?</p> <p>19 A I lost my home.</p> <p>20 Q What home did you lose?</p> <p>21 A That was in Randallstown or Woodlawn.</p>
<p style="text-align: right;">Page 264</p> <p>1 violations of law.</p> <p>2 MR. GOLDBERG: Objection. Form. You can</p> <p>3 answer.</p> <p>4 A Yeah, I don't remember every little thing.</p> <p>5 Q Tell me anything else you remember.</p> <p>6 A What I just told you.</p> <p>7 Q So the truth of the matter is, sir, you're</p> <p>8 just not going to admit anything until I pull up the</p> <p>9 document. Is that right?</p> <p>10 MR. GOLDBERG: Objection to form. And I</p> <p>11 don't think my client has declined to answer any of</p> <p>12 your questions. If it's not to your satisfaction, then</p> <p>13 you can ask him more questions, Cary, but the</p> <p>14 argumentation is unnecessary.</p> <p>15 MR. HANSEL: Well, I'm just trying to</p> <p>16 understand his answers.</p> <p>17 Q Is that the approach you're taking, sir?</p> <p>18 You're going to tell me you don't remember until I pull</p> <p>19 it up?</p> <p>20 MR. GOLDBERG: Objection. Form.</p> <p>21 Argumentative. You can answer.</p>	<p style="text-align: right;">Page 266</p> <p>1 Q On what street was the home in Randallstown</p> <p>2 or Woodlawn?</p> <p>3 A I don't remember. To really be honest, I</p> <p>4 don't remember. I really don't remember.</p> <p>5 Q Okay.</p> <p>6 A But Baltimore.</p> <p>7 Q Okay. So tell me about what happened.</p> <p>8 A I lost my home.</p> <p>9 Q Under what circumstances? How did you come</p> <p>10 to lose your home?</p> <p>11 A Not knowing about buying a home, they gave</p> <p>12 me what is called an adjustable mortgage rate and it</p> <p>13 kept going up and up and up and up and up where I</p> <p>14 couldn't afford the home.</p> <p>15 Q Did you spend some of your son's</p> <p>16 inheritance money trying to keep that home?</p> <p>17 A No, I had my own money.</p> <p>18 MR. GOLDBERG: Objection to form. You can</p> <p>19 answer.</p> <p>20 Q Well, you didn't have enough. You got</p> <p>21 foreclosed on, right?</p>

<p style="text-align: right;">Page 267</p> <p>1 A Well, if -- I probably would still have the</p> <p>2 home if I spent his money.</p> <p>3 Q All right. So when I asked you earlier</p> <p>4 about cases you have been involved in, you didn't</p> <p>5 mention this one until I pulled it up. Is there a</p> <p>6 reason?</p> <p>7 MR. GOLDBERG: Objection to form. You can</p> <p>8 answer.</p> <p>9 A No, there is no reason.</p> <p>10 Q Okay. You're not here to tell me you</p> <p>11 forgot having a home foreclosed and losing a home. You</p> <p>12 didn't forget that, did you?</p> <p>13 MR. GOLDBERG: Objection to form. You can</p> <p>14 answer.</p> <p>15 A No, and I wasn't brought up on charges for</p> <p>16 that.</p> <p>17 Q Okay. Yeah, but I asked you about</p> <p>18 lawsuits, also, of which you were a party and you</p> <p>19 didn't bring this up. You remember those questions,</p> <p>20 don't you, sir?</p> <p>21 MR. GOLDBERG: Objection to form and</p>	<p style="text-align: right;">Page 269</p> <p>1 includes any type of civil proceeding at all. Other</p> <p>2 than what we already talked about.</p> <p>3 A Yes.</p> <p>4 Q Okay. What others?</p> <p>5 A The one you just mentioned about me losing</p> <p>6 my home.</p> <p>7 Q Right. So now we have talked about that.</p> <p>8 Other than what we already talked about,</p> <p>9 have you ever been a party to any civil or criminal</p> <p>10 cases?</p> <p>11 A Let me see what I can remember. No, that's</p> <p>12 what I can remember.</p> <p>13 Q All right. What is Wittstadt versus</p> <p>14 Durant?</p> <p>15 A I don't know. I don't know. What's</p> <p>16 Wittstadt?</p> <p>17 Q How many foreclosures have you had?</p> <p>18 A One.</p> <p>19 Q Okay. All right. Have you ever lived at</p> <p>20 4985 Columbia Road, Number 203?</p> <p>21 A Say that address again?</p>
<p style="text-align: right;">Page 268</p> <p>1 foundation. You can answer.</p> <p>2 A That I was charged. That's what I remember</p> <p>3 you saying. That I was charged.</p> <p>4 Q You don't recall me asking you what</p> <p>5 lawsuits you were a party to and going through the</p> <p>6 broken jaw case, the case with your son, this case, the</p> <p>7 car accidents, the comp case?</p> <p>8 You don't remember that, sir? And I said,</p> <p>9 repeatedly, is that everything and you said, yes. And</p> <p>10 now I'm -- and then we have looked at the bankruptcy,</p> <p>11 which was another one. That wasn't a criminal case.</p> <p>12 And now, sir, I'm asking you, is there any</p> <p>13 reason why you didn't tell me about the foreclosure</p> <p>14 when we were going through those other cases?</p> <p>15 A It's not a criminal case. You said</p> <p>16 criminal or charges. That's me losing my home. Not a</p> <p>17 case.</p> <p>18 Q Sir, we have talked about both, but let me</p> <p>19 be clear. In the whole history of the world, other</p> <p>20 than what we have already talked about now, have you</p> <p>21 ever been a party to any civil or criminal case? Civil</p>	<p style="text-align: right;">Page 270</p> <p>1 Q 4985 Columbia Road.</p> <p>2 A I think so, yes.</p> <p>3 Q So I'm now pulling up a lawsuit that is</p> <p>4 Gates Hudson & Associates versus Sharae Durant, it says</p> <p>5 here, et al. And the other person listed is Damond</p> <p>6 Durant, with that address that you have identified as</p> <p>7 your own.</p> <p>8 Do you agree with me that you are one of</p> <p>9 the defendants in the lawsuit Gates Hudson &</p> <p>10 Associates, Inc. versus Durant?</p> <p>11 A Yes.</p> <p>12 Q Okay. It says here this was a failure to</p> <p>13 pay rent case. Were you sued for failure to pay rent?</p> <p>14 A If that's what it says, then, yes.</p> <p>15 Q Okay. And there is someone here listed as</p> <p>16 Milan Lewis. Did you get a lawyer named Milan Lewis?</p> <p>17 A No, that's my son.</p> <p>18 Q How many sons do you have?</p> <p>19 A Well, before I was married my wife had</p> <p>20 three sons and I had one son and we have a daughter.</p> <p>21 Q And what?</p>

<p style="text-align: right;">Page 271</p> <p>1 A And we now have a daughter. We have a 2 daughter. 3 Q All right. So did you ever adopt your 4 wife's sons? 5 A Not legally. Not paper. 6 Q That's fine. I get it. And sometimes the 7 real world is different. I appreciate that, sir. 8 And so Mr. Lewis, then, Milan Lewis, 9 biologically, is that your wife's son, but not yours 10 biologically? 11 A Yes. 12 Q Now, earlier when I asked you about 13 lawsuits you had been a party to, civil cases, anything 14 in the whole history of the world, why is it you didn't 15 mention this failure to pay rent case? 16 A Didn't remember. 17 Q Okay. Now, other than what we have already 18 talked about, including this failure to pay rent case, 19 in the whole history of the world have you ever been a 20 party to any criminal or civil proceedings of any type? 21 A All right. You keep asking me the same</p>	<p style="text-align: right;">Page 273</p> <p>1 Q No, I said other than what we have already 2 talked about. And you said, yes. So now I'm asking, 3 what do you recall other than what we have talked 4 about? 5 A Just the ones that you brought up. 6 Q Okay. So, in other words, you don't recall 7 any that we haven't already talked about; is that 8 correct? 9 A Yes. 10 Q All right. And I have to ask you again, 11 sir, is it your intention not to list any of these 12 until I actually pull up the documents? Is that your 13 approach here today? 14 A No. Not at all. 15 Q All right. Now, you can see the Case 16 Search list here online, right? You can see this? 17 A Yes. 18 Q Okay. I'm going to point out to you, sir, 19 that there are one, two, three, four, five, six, seven 20 lines which, if you follow them over, say FTPR, and 21 involve Gates Hudson & Associates versus you and your</p>
<p style="text-align: right;">Page 272</p> <p>1 question and the things that I think that you want to 2 know, I don't know if they're cases. So I don't 3 remember. I don't know. Because it's a lot of things 4 and this could be things that are over with or a long 5 time ago. I'm not sure what you're asking me. Because 6 I said yes to that question. 7 Q So, sir, when I say in the whole history of 8 the world, I hope you understand that includes things 9 that happened a long time ago, because the whole 10 history of the world is quite long, and it's quite 11 longer than your history or mine. So that means in 12 your entire life. 13 In your entire life, sir, other than what 14 we have already talked about, have there ever been any 15 criminal or civil proceedings in which you have been a 16 party other than what we have already talked about? 17 A Yes. 18 Q List them. 19 A I don't remember all of them. 20 Q List any of them. 21 A The ones that we just talked about.</p>	<p style="text-align: right;">Page 274</p> <p>1 wife. 2 Do you see those? And we can go through 3 each one if you need to, but do you see that there are 4 seven of those? 5 A Yes. 6 Q Okay. And, sir, I'm going to represent to 7 you, you may know this, that FTPR stands for failure to 8 pay rent. 9 Do you agree with me, looking at this, that 10 there were seven different cases, you'll see they all 11 have different case numbers and different dates, that 12 there were seven different cases filed against you for 13 failure to pay rent by Gates Hudson & Associates? 14 A Yes, I see it. Yes. 15 Q All right. Now, is there any reason why 16 you didn't mention the other six of these cases a 17 minute ago when I asked you about civil cases in the 18 history of the world and that kind of thing? 19 A I didn't know it was that many and I didn't 20 know that's what you were talking about. 21 Q Okay.</p>

<p style="text-align: right;">Page 275</p> <p>1 A And I don't remember actually going to 2 court for any of these. 3 Q So, I didn't ask you if you went to court. 4 I asked you if there were any cases filed, right? 5 I'm going to show you, sir, a case called 6 Comptroller of Maryland versus your wife and you're 7 also a defendant. 8 Do you see this, sir? 9 A Okay. 10 Q And this is a case that was filed against 11 you by the State of Maryland involving a state tax 12 lien. 13 Do you see that? 14 A I see it. 15 Q And it looks like you had failed to pay 16 your taxes to the tune of almost \$1,900; \$1,889.09. 17 Do you see that, sir? 18 A I see it. 19 Q Now, earlier when I asked you about civil 20 proceedings, is there some reason why you didn't 21 mention this one?</p>	<p style="text-align: right;">Page 277</p> <p>1 involving the broken jaw? 2 A Yes. 3 Q And then looking at this, do you agree with 4 me that the man whose jaw you broke was a man named 5 Jon, J-O-N, Black, dash, Thaxton, T-H-A-X-T-O-N? 6 A Yes. 7 Q And his case was filed in March of 2014. 8 Do you agree with that? 9 A Yes. 10 Q And then the settlement came, it says 11 disposition date here, February, 2015. So that case 12 was around for roughly a year before it was settled; is 13 that correct? 14 A Yes. 15 Q And so, certainly when the events here in 16 this case happened it was after the City had settled 17 with Mr. Black-Thaxton. Is that right? 18 A Say that again? 19 Q When your interaction with Mr. Nicholson 20 happened, it was after the City had settled with 21 Mr. Black-Thaxton in your other case, right?</p>
<p style="text-align: right;">Page 276</p> <p>1 A Didn't know anything about it. 2 Q You didn't know about this? You didn't 3 know that there was a tax lien for \$1,889.09? 4 A No, sir. 5 Q Well, it's listed as closed. Did you ever 6 pay off that tax lien? 7 A No, sir. 8 Q We mentioned earlier the case in which you 9 broke a man's jaw and I want to show you, I'm pulling 10 up a case called Jon Black, dash, Thaxton, 11 T-H-A-X-T-O-N, versus Damond Durant, et al. And 12 Mr. Thaxton was represented by a lawyer named Michael 13 Taylor and you were represented by a lawyer named Peter 14 Sheehan. And there was also a defendant named Alan 15 Neita. 16 Alan Neita is a fellow officer. Is that 17 right? 18 A Yes. 19 Q Looking at this, given who the lawyers are, 20 the timing, the fact that this fellow officer was 21 involved, do you agree with me that this was the case</p>	<p style="text-align: right;">Page 278</p> <p>1 A Black-Thaxton was way before Mr. Nicholson. 2 Q Right. And the settlement, what I'm 3 getting at, is the City paid that settlement before you 4 had an interaction with Nicholson. Is that right? 5 A Yes. 6 Q Okay, got it. And were you ever 7 disciplined by the City for what happened with 8 Mr. Black-Thaxton? 9 A No. 10 Q There is case here a case against a Durant 11 Tremmell -- I'm sorry, a Damond Tremmell Durant, Sr. 12 that is Janice Montgomery versus you. 13 Do you see that? 14 A Yes. 15 Q Okay. And you agree with me that's you? 16 You were also a party to that lawsuit, right? You're 17 listed here as the defendant? 18 A I am Damond Durant, Tremmell, Sr. 19 Q Okay. And when I earlier asked you, I 20 think seven or eight times, about whether you had been 21 a party to any civil proceedings in the history of the</p>

<p style="text-align: right;">Page 279</p> <p>1 world, why is it that you didn't mention this one?</p> <p>2 A I don't remember it. I don't remember.</p> <p>3 Q Now, you don't remember being -- you don't</p> <p>4 remember a paternity suit being filed against you for</p> <p>5 your son?</p> <p>6 A That was -- yes, I remember that was for</p> <p>7 child support.</p> <p>8 Q Yeah, and you paid child support for many</p> <p>9 years, didn't you?</p> <p>10 A Yeah.</p> <p>11 Q And you're telling me you didn't remember a</p> <p>12 case that resulted in your paying child support for</p> <p>13 many years? Is that what you're telling me?</p> <p>14 MR. GOLDBERG: Objection. Form. You can</p> <p>15 answer.</p> <p>16 A Yeah, I didn't remember it. I mean,</p> <p>17 because it was what it was. I paid child support.</p> <p>18 Everybody pays child support.</p> <p>19 Q But this wasn't just a case where you paid</p> <p>20 child support. You tried to avoid it, right? There</p> <p>21 was a back and forth fight about it. Right?</p>	<p style="text-align: right;">Page 281</p> <p>1 A Few years, yes.</p> <p>2 Q And it's that two years when you say --</p> <p>3 A Few. Few, few.</p> <p>4 Q How many is a few?</p> <p>5 A Maybe, what, 16 until he graduated from</p> <p>6 high school, then he wanted to live with his mother.</p> <p>7 Q So he was 18 when he graduated from high</p> <p>8 school. Is that right?</p> <p>9 A Yes.</p> <p>10 Q And how old was he when he moved in with</p> <p>11 you?</p> <p>12 A With me?</p> <p>13 Q Yes, sir.</p> <p>14 A He was still a minor. Just going to high</p> <p>15 school, so 16.</p> <p>16 Q Okay. So 16 to 18, he lived with you for</p> <p>17 two years, right?</p> <p>18 A Yeah.</p> <p>19 Q Okay. And then as soon as he could choose,</p> <p>20 he moved out and in with his mom, right?</p> <p>21 A Yes.</p>
<p style="text-align: right;">Page 280</p> <p>1 A No.</p> <p>2 Q Okay. Was there a fight over custody in</p> <p>3 this case?</p> <p>4 A No, I didn't fight over custody.</p> <p>5 Q Okay. It says here that the sole legal and</p> <p>6 physical custody of your son was awarded to his mother.</p> <p>7 Is that right?</p> <p>8 A His grandmother.</p> <p>9 Q What's that?</p> <p>10 A Grandmother.</p> <p>11 Q I'm sorry, his grandmother.</p> <p>12 And that's what ended your child support</p> <p>13 obligation. Is that right?</p> <p>14 A No, I paid all the way up until he was 18.</p> <p>15 Q Did your son ever live with you? Damond</p> <p>16 Durant?</p> <p>17 A Yes.</p> <p>18 Q For how long?</p> <p>19 A A few years.</p> <p>20 Q Okay. So in his whole life he lived with</p> <p>21 you for a total of two years?</p>	<p style="text-align: right;">Page 282</p> <p>1 Q And so that \$74,000 you say that he spent,</p> <p>2 it must have been just during those two years, right?</p> <p>3 16 to 18?</p> <p>4 A Yes.</p> <p>5 Q Okay. And you said it was mostly on cars.</p> <p>6 He certainly wouldn't have spent any money on cars</p> <p>7 until he was 16 because he couldn't drive, right?</p> <p>8 A Yep.</p> <p>9 Q Did he ever buy you a car out of that</p> <p>10 money?</p> <p>11 A No.</p> <p>12 Q Did you ever drive any car that was bought</p> <p>13 with that money?</p> <p>14 A No.</p> <p>15 Q Okay. All right. Here's a case, Janice D.</p> <p>16 Montgomery versus Damond T. Durant, Sr. involving a</p> <p>17 recorded judgment.</p> <p>18 That's also you, right?</p> <p>19 A Yes.</p> <p>20 Q And in this case your wages were being</p> <p>21 garnished. Is that right?</p>

<p style="text-align: right;">Page 283</p> <p>1 A Yes.</p> <p>2 Q Okay. Did you also forget that your wages</p> <p>3 were being garnished by the mother of your child when I</p> <p>4 asked you earlier about civil proceedings from the</p> <p>5 beginning of the world to the present that you were a</p> <p>6 party to? Did you also forget that?</p> <p>7 MR. GOLDBERG: Objection to form, but you</p> <p>8 can answer.</p> <p>9 A Yes.</p> <p>10 Q Can you see how I would find it difficult</p> <p>11 to believe that you would forget things like having a</p> <p>12 house repossessed and having your wages garnished? Can</p> <p>13 you see how that would be hard for somebody to believe?</p> <p>14 That you would forget those things?</p> <p>15 MR. GOLDBERG: Objection to form, but you</p> <p>16 can answer.</p> <p>17 A I don't know what you would believe, but</p> <p>18 I'm telling you what I remember and what I know.</p> <p>19 Q There is a case in Howard County, Karim,</p> <p>20 LLC versus Damond Durant involving a tenant holding</p> <p>21 over. I see listed as Defendants is your wife and</p>	<p style="text-align: right;">Page 285</p> <p>1 trial recently?</p> <p>2 A No.</p> <p>3 Q You were certainly served with papers in</p> <p>4 this case, right?</p> <p>5 A Served with papers?</p> <p>6 Q Yes, sir.</p> <p>7 A This was an eviction.</p> <p>8 Q Yeah, you were served with papers, right?</p> <p>9 Eviction notices, papers related to the case?</p> <p>10 A Eviction papers, yes.</p> <p>11 Q Okay. All right. And, you know, I mean,</p> <p>12 it says here that the sheriff -- there was a request</p> <p>13 that the sheriff serve you.</p> <p>14 Did the sheriff serve you?</p> <p>15 A No, they left a paper on the door, like,</p> <p>16 evictions.</p> <p>17 Q Okay. And you got it and you were aware of</p> <p>18 these court dates and proceedings, right?</p> <p>19 A Yes.</p> <p>20 Q And the case was filed in November of 2021.</p> <p>21 Do you see that?</p>
<p style="text-align: right;">Page 284</p> <p>1 Damond Durant with Falls Road addresses.</p> <p>2 Do you see that, sir?</p> <p>3 A Yes.</p> <p>4 Q Is this case involving you? You're the</p> <p>5 Damond Durant listed here?</p> <p>6 A Yes.</p> <p>7 Q And it says here that there was a trial in</p> <p>8 this case on February 7, 2002.</p> <p>9 Do you see that, sir?</p> <p>10 A Yeah, I see that.</p> <p>11 THE REPORTER: Cary, 2022? Not 2002?</p> <p>12 MR. HANSEL: Yes. I'm so sorry. Goodness.</p> <p>13 THE REPORTER: Just checking.</p> <p>14 MR. HANSEL: No, that's okay. I appreciate</p> <p>15 that. I actually have dyscalculia, which is a form of</p> <p>16 dyslexia and numbers are sometimes hard. Thank you.</p> <p>17 BY MR. HANSEL:</p> <p>18 Q So were you at that trial on February 7,</p> <p>19 2022?</p> <p>20 A No, I was not there.</p> <p>21 Q Okay. Were you aware that there was a</p>	<p style="text-align: right;">Page 286</p> <p>1 A Yes.</p> <p>2 Q And that this recent hearing was February</p> <p>3 of 2022.</p> <p>4 A No, can --</p> <p>5 Q Well, wait a minute. Do you see the recent</p> <p>6 hearing was February of 2022?</p> <p>7 A Yes, I see that.</p> <p>8 Q Okay. So you had to have been served</p> <p>9 sometime between November of 2021 and February of 2022,</p> <p>10 right?</p> <p>11 A That's what it says, yes.</p> <p>12 Q Okay. And the February hearing, your wife</p> <p>13 appeared for that, right? February of 2022?</p> <p>14 A Yes.</p> <p>15 Q Okay. And were you there also?</p> <p>16 A No.</p> <p>17 Q And you certainly knew in February that</p> <p>18 your wife was going to go to this hearing, right? She</p> <p>19 didn't keep that some kind of top secret information,</p> <p>20 did she?</p> <p>21 A No.</p>

<p>Page 287</p> <p>1 Q So you knew that there was a trial</p> <p>2 scheduled in February of 2022, right?</p> <p>3 A Yes.</p> <p>4 Q And your wife, when she got home, I'm sure</p> <p>5 told you about the outcome of it, right?</p> <p>6 A No one went to court.</p> <p>7 Q Okay. Whenever it happened you were aware</p> <p>8 in February of 2022 of the outcome, right?</p> <p>9 A Yeah, I know what it was about. I know why</p> <p>10 it happened, yes.</p> <p>11 Q Okay. And it says here that what was</p> <p>12 negotiated by consent was that the eviction would take</p> <p>13 place no later than March of 2022. Is that right?</p> <p>14 A We had to be out of the house, yes.</p> <p>15 Q And did you, in fact, leave in early March</p> <p>16 of 2022 as a result of this case?</p> <p>17 A Yes, we were out of the house.</p> <p>18 Q Now, sir, March of 2022 was three months</p> <p>19 ago and you were evicted and had to move out of a house</p> <p>20 and there were court proceedings in that case as</p> <p>21 recently as four months ago.</p>	<p>Page 289</p> <p>1 complaint to have us leave the house and we agreed.</p> <p>2 That was it.</p> <p>3 Q No, sir. The other ones you told me you</p> <p>4 forgot about. I'm asking you, when I asked you earlier</p> <p>5 about civil cases, did you also forget about this one?</p> <p>6 A Yes, yes.</p> <p>7 MR. GOLDBERG: Objection. Form. Same</p> <p>8 objections as before.</p> <p>9 Q So how is it, sir, that you forgot about a</p> <p>10 case that resulted in your eviction just three months</p> <p>11 ago? How did you forget about that?</p> <p>12 MR. GOLDBERG: Objection. Form. Asked and</p> <p>13 answered. You can answer.</p> <p>14 A It has nothing to do with what's -- why</p> <p>15 we're here.</p> <p>16 Q No, sir. You didn't tell me it has nothing</p> <p>17 to do with it and that's why you didn't mention it.</p> <p>18 And my question, as you'll remember, called for every</p> <p>19 civil proceeding in the history of the world that</p> <p>20 involved you.</p> <p>21 So what you told me was you forgot about</p>
<p>Page 288</p> <p>1 So I've got to ask you. How is it that you</p> <p>2 didn't mention this one the eight or ten times that</p> <p>3 I've asked you about civil proceedings in which you</p> <p>4 were a party?</p> <p>5 MR. GOLDBERG: Objection. Form. And I</p> <p>6 think you have asked this question seven to eight times</p> <p>7 and you get the same answer every time. So asked and</p> <p>8 answered, but you can answer.</p> <p>9 A What do you want to know about this?</p> <p>10 Q Sir, I want an answer to my question.</p> <p>11 Did you forget about this? That you were</p> <p>12 evicted three months ago? Did you forget that?</p> <p>13 MR. GOLDBERG: Objection. Form. Asked and</p> <p>14 answered.</p> <p>15 THE WITNESS: Answer?</p> <p>16 MR. HANSEL: Yes.</p> <p>17 MR. GOLDBERG: Yes.</p> <p>18 A The original owner had passed. It belonged</p> <p>19 to someone else. There were plenty of things that</p> <p>20 needed to be fixed in the apartment. They just wanted</p> <p>21 us out and so they had a formal -- filed a formal</p>	<p>Page 290</p> <p>1 this in the three months since you were evicted. So</p> <p>2 now I'm asking you, sir, how is it that in three months</p> <p>3 you managed to forget about an eviction case?</p> <p>4 MR. GOLDBERG: Objection. Form. Asked and</p> <p>5 answered. You can answer.</p> <p>6 A I forgot.</p> <p>7 Q Okay. Are you on any medications that</p> <p>8 affect your memory?</p> <p>9 A No, sir.</p> <p>10 Q Do you have any disabilities that affect</p> <p>11 your memory?</p> <p>12 A No, sir.</p> <p>13 Q Have you had any injuries that affect your</p> <p>14 memory?</p> <p>15 A No, sir.</p> <p>16 Q When was the last time you smoked</p> <p>17 marijuana?</p> <p>18 MR. GOLDBERG: Objection. Form.</p> <p>19 Relevance. You can answer.</p> <p>20 A Junior high.</p> <p>21 Q Okay. When was the last time you ingested</p>

<p style="text-align: right;">Page 291</p> <p>1 edible forms of marijuana?</p> <p>2 MR. GOLDBERG: Objection.</p> <p>3 A Never.</p> <p>4 Q Have you ever used any other drugs without</p> <p>5 legal authority? That includes illicit drugs and it</p> <p>6 also includes prescriptions that were not prescribed or</p> <p>7 used as prescribed.</p> <p>8 Have you ever used any other drugs without</p> <p>9 legal authority?</p> <p>10 MR. GOLDBERG: I'm going to object and</p> <p>11 direct my client not to answer. At this point, Cary,</p> <p>12 it's gone beyond the scope of any kind of reasonable</p> <p>13 inquiry that would be in any way proportionately</p> <p>14 related to the case. There is no reason for the</p> <p>15 question.</p> <p>16 MR. HANSEL: Well, he forgot an eviction</p> <p>17 that took place three months ago and I think most</p> <p>18 people would agree that's remarkable. I first asked if</p> <p>19 he had an injury, I then asked if he had any mental</p> <p>20 disabilities and so now the only remaining issue is I</p> <p>21 asked if there were prescription medications and he</p>	<p style="text-align: right;">Page 293</p> <p>1 involves State of Maryland versus you.</p> <p>2 Do you see this?</p> <p>3 A That says, Junior.</p> <p>4 Q Is this you or your son?</p> <p>5 A That's Junior.</p> <p>6 Q There is a Dartmouth Road apartment in</p> <p>7 Baltimore. Is that you or your son? I'm sorry. Fair</p> <p>8 enough.</p> <p>9 So earlier you didn't recall his date of</p> <p>10 birth. It says here, May of 1992. Do you agree with</p> <p>11 me he was born in May of '92?</p> <p>12 A Yes.</p> <p>13 Q Okay. So by my count, then, he would have</p> <p>14 been 18 in May of 2010. Do I have that right?</p> <p>15 A Yes.</p> <p>16 MR. HANSEL: Okay.</p> <p>17 THE REPORTER: Excuse me, Cary. I don't</p> <p>18 mean to interrupt.</p> <p>19 (A discussion was held off the record.)</p> <p>20 BY MR. HANSEL:</p> <p>21 Q All right. We have now looked at the</p>
<p style="text-align: right;">Page 292</p> <p>1 said --</p> <p>2 MR. GOLDBERG: So ask a different question</p> <p>3 as prior drug use may have related and I might have him</p> <p>4 answer, but to just ask him if he's ever used drugs,</p> <p>5 I'm not going to stand for that.</p> <p>6 BY MR. HANSEL:</p> <p>7 Q Have you ever used any drugs, other than</p> <p>8 the marijuana in junior high, that might affect your</p> <p>9 memory?</p> <p>10 MR. GOLDBERG: Objection. Relevance.</p> <p>11 Form, but you can answer.</p> <p>12 A No.</p> <p>13 Q Do you have any other explanation for how</p> <p>14 it is that in three months you managed to forget these</p> <p>15 eviction proceedings?</p> <p>16 MR. GOLDBERG: Objection. Form.</p> <p>17 Relevance. Asked and answered, but you can answer.</p> <p>18 A I just didn't remember it. I remember when</p> <p>19 were you pull it up, then I recall it, then I can tell</p> <p>20 you what happened, but I just didn't remember.</p> <p>21 Q So there is an October, 2017 case that</p>	<p style="text-align: right;">Page 294</p> <p>1 Maryland cases. Is it still your position you have</p> <p>2 never been charged with a crime or any violation of law</p> <p>3 in any other state?</p> <p>4 MR. GOLDBERG: Objection. Form.</p> <p>5 Relevance. You can answer.</p> <p>6 A That I can remember, no.</p> <p>7 Q In other words, you have not been charged</p> <p>8 with a crime or a violation of law in any other state.</p> <p>9 Is that your testimony?</p> <p>10 MR. GOLDBERG: Objection. Form.</p> <p>11 Relevance. Mischaracterization of testimony. He just</p> <p>12 testified that he can't recall.</p> <p>13 Q As far as you remember, is that your</p> <p>14 testimony?</p> <p>15 MR. GOLDBERG: Objection. Form.</p> <p>16 Relevance. You can answer.</p> <p>17 A I don't remember.</p> <p>18 MR. HANSEL: Okay. All right. Let's go</p> <p>19 off the record for a very brief time. I'll need five</p> <p>20 minutes. We'll come back on and I'll be brief and</p> <p>21 we'll wrap up.</p>

<p style="text-align: right;">Page 295</p> <p>1 MR. GOLDBERG: Okay. Thank you.</p> <p>2 THE WITNESS: Thank you.</p> <p>3 THE REPORTER: Thank you.</p> <p>4 (There was a brief recess taken.)</p> <p>5 MR. HANSEL: Officer, thank you for your</p> <p>6 time here today. I don't have anything further for</p> <p>7 you. I appreciate the opportunity to speak. Your</p> <p>8 counsel may have some questions, but I doubt it.</p> <p>9 MR. GOLDBERG: I actually do have some</p> <p>10 questions.</p> <p>11 MR. HANSEL: Sure.</p> <p>12 EXAMINATION BY MR. GOLDBERG:</p> <p>13 Q Mr. Durant, as you know, I'm your counsel</p> <p>14 in this case, the proceeding against you.</p> <p>15 In all the cases that we just reviewed, was</p> <p>16 there any criminal convictions?</p> <p>17 A No.</p> <p>18 Q Based on falsifying information?</p> <p>19 A No.</p> <p>20 Q As far as you know, are there any</p> <p>21 allegations in this lawsuit as to theft of any kind?</p>	<p style="text-align: right;">Page 297</p> <p>1 investigation that arose out of this lawsuit, would it</p> <p>2 have been appropriate for you at any time to ask about</p> <p>3 an Internal Affairs investigation?</p> <p>4 A Would it be appropriate if I were to ask?</p> <p>5 Q Yes.</p> <p>6 A That's their investigation. I don't --</p> <p>7 that's their investigation.</p> <p>8 Q When you were approached to cooperate with</p> <p>9 the investigation, did you cooperate?</p> <p>10 A Yes.</p> <p>11 Q Did you provide a recorded statement?</p> <p>12 A Yes.</p> <p>13 Q Did you ever object to assisting in their</p> <p>14 investigation?</p> <p>15 A No. I cooperated.</p> <p>16 Q And were you ever charged criminally for</p> <p>17 any conduct you exhibited in this case?</p> <p>18 A No.</p> <p>19 Q Now, I want to take you through -- I want</p> <p>20 to go back to the incident.</p> <p>21 I know you may have testified to some of</p>
<p style="text-align: right;">Page 296</p> <p>1 A No.</p> <p>2 Q Are there any allegations of you lying</p> <p>3 about your Statement of Probable Cause?</p> <p>4 A My Statement of Probable Cause?</p> <p>5 Q Sorry. In any of the incident reports in</p> <p>6 this case, at the peace order hearing, are there any</p> <p>7 allegations that you're lying?</p> <p>8 A No.</p> <p>9 Q Have you ever testified at a criminal</p> <p>10 proceeding as a witness?</p> <p>11 A Only as an officer.</p> <p>12 Q So as an officer have you ever had your</p> <p>13 memory refreshed by seeing a document?</p> <p>14 A Yes.</p> <p>15 Q Do you believe that's what happened today?</p> <p>16 A Yes.</p> <p>17 Q As to any Internal Affairs investigation,</p> <p>18 would it have been appropriate for you to ask the</p> <p>19 status of an ongoing Internal Affairs investigation?</p> <p>20 A Say it one more time.</p> <p>21 Q As far as any Internal Affairs</p>	<p style="text-align: right;">Page 298</p> <p>1 these questions before, but because it was the last</p> <p>2 session, I may ask you some repeat questions and my</p> <p>3 apologies for repeating testimony.</p> <p>4 How many people did you see when you first</p> <p>5 got out of your car that day and noticed individuals</p> <p>6 across the cul-de-sac?</p> <p>7 A When I got out of my car, two.</p> <p>8 Q And when you first approached them did you</p> <p>9 notice how big they were?</p> <p>10 A Yes.</p> <p>11 Q Were they both bigger than you?</p> <p>12 A One was bigger than me, one was about my</p> <p>13 size or maybe a tad bigger.</p> <p>14 Q Do you know if Plaintiff was the one who</p> <p>15 was bigger than you?</p> <p>16 A Yes.</p> <p>17 Q Was he much bigger than you?</p> <p>18 A Yes.</p> <p>19 Q So you also testified that you turned --</p> <p>20 well, let me start with this.</p> <p>21 Who escalated the verbal exchange between</p>

<p style="text-align: right;">Page 299</p> <p>1 the two of you? I say the two of you, I'm speaking of</p> <p>2 the Plaintiff and his cohort and then you as the other</p> <p>3 party. So between the two of those parties, who</p> <p>4 instigated the verbal language between the two of you?</p> <p>5 A They did.</p> <p>6 Q And they used profane language to your</p> <p>7 face?</p> <p>8 A Yes.</p> <p>9 Q And despite that profane language did you</p> <p>10 pull out your firearm at that point?</p> <p>11 A No.</p> <p>12 Q And when you had said your peace to them,</p> <p>13 that you thought they should get out of there, this</p> <p>14 isn't where they belong, you did do that, right? You</p> <p>15 testified to that earlier. That is what you said to</p> <p>16 them? That they shouldn't be here, this isn't a place</p> <p>17 to hang out?</p> <p>18 A Yes.</p> <p>19 Q That this isn't is place to wait for your</p> <p>20 bus?</p> <p>21 A Yes.</p>	<p style="text-align: right;">Page 301</p> <p>1 you were intimidated and maybe even scared when you</p> <p>2 were speaking with them because of their size, correct?</p> <p>3 A Yes.</p> <p>4 Q So having already spoken to them, did you</p> <p>5 believe that they were aggressive?</p> <p>6 A They talked very aggressive, yes.</p> <p>7 Q Okay. So your testimony that you were</p> <p>8 intimidated by their size, maybe even fearful of their</p> <p>9 size, and understood them to be aggressive in their</p> <p>10 words, hearing footsteps did you believe that you were</p> <p>11 about to be assaulted or battered?</p> <p>12 A Yes.</p> <p>13 Q And before that moment, when that fear --</p> <p>14 were you afraid in that moment?</p> <p>15 A Yes.</p> <p>16 Q And when you were afraid in that moment,</p> <p>17 right before that moment, did you -- had you at all</p> <p>18 mentioned that you had a firearm on your person?</p> <p>19 A No.</p> <p>20 Q Did you reveal your firearm before that</p> <p>21 moment to the individuals at the scene?</p>
<p style="text-align: right;">Page 300</p> <p>1 Q And despite your politeness towards them</p> <p>2 and directness towards them, you were faced with surly,</p> <p>3 profane, frankly rude behavior; is that correct?</p> <p>4 A Yes.</p> <p>5 Q So at this point you turn your back and</p> <p>6 start to walk away, correct?</p> <p>7 A Yes.</p> <p>8 Q And you don't have any visual sight of them</p> <p>9 at that point, right?</p> <p>10 A Yes.</p> <p>11 Q And you testified you heard footsteps</p> <p>12 coming towards your back. Is that right?</p> <p>13 A Yes.</p> <p>14 Q About how fast were the footsteps?</p> <p>15 A Quick pace.</p> <p>16 Q So was it more of, like, you heard someone</p> <p>17 walking towards your back or was it repeated footsteps</p> <p>18 in a pattern that made you think someone was coming</p> <p>19 towards your back?</p> <p>20 A Someone was coming towards my back.</p> <p>21 Q And based on -- you already testified that</p>	<p style="text-align: right;">Page 302</p> <p>1 A No.</p> <p>2 Q So when you turned around and you did</p> <p>3 reveal your firearm, correct?</p> <p>4 A Yes.</p> <p>5 Q But it was never pointed in their</p> <p>6 direction?</p> <p>7 A No, it wasn't ever pointed in their</p> <p>8 direction.</p> <p>9 Q The barrel of the gun was straight down</p> <p>10 toward the ground, regardless if it was in front of</p> <p>11 you, behind you, correct?</p> <p>12 A Yes.</p> <p>13 Q So did you believe in that moment that that</p> <p>14 was a necessary decision to protect your safety?</p> <p>15 A Yes.</p> <p>16 Q And did you believe it was necessary</p> <p>17 because your safety was in jeopardy in that moment?</p> <p>18 A Yes.</p> <p>19 Q And do you believe that it was a reasonable</p> <p>20 decision?</p> <p>21 A Yes.</p>

<p style="text-align: right;">Page 303</p> <p>1 Q And in your experience, if someone -- if an</p> <p>2 officer is attacked from behind or they fear they are</p> <p>3 being attacked from behind, do you think that the</p> <p>4 person attacking that officer has an advantage in that</p> <p>5 skirmish?</p> <p>6 A Yes.</p> <p>7 Q And before whoever ran at your back did so,</p> <p>8 you noticed that at least one of them had a knife on</p> <p>9 their person, correct?</p> <p>10 A Yes.</p> <p>11 Q So when you turned around, you also had a</p> <p>12 knife on your person, correct?</p> <p>13 A Possibility, yes.</p> <p>14 Q Can you tell us why you might not have</p> <p>15 brandished your knife rather than your firearm?</p> <p>16 A I didn't want a knife because he might have</p> <p>17 some skills with his knife. I wanted the situation</p> <p>18 quelled right then and there. I didn't want an</p> <p>19 opportunity of we both stabbing each other for whatever</p> <p>20 reason. That wasn't my intent.</p> <p>21 Q And so when you turned around and</p>	<p style="text-align: right;">Page 305</p> <p>1 A No, sir.</p> <p>2 Q Would you have stood a chance?</p> <p>3 A No, they would have overwhelmed me.</p> <p>4 Q Do you believe that if there is -- just</p> <p>5 because there may or may not -- just because there is a</p> <p>6 No Trespassing sign that someone should be in the</p> <p>7 private curtilage of another person's property?</p> <p>8 A No, I believe private property is private</p> <p>9 property.</p> <p>10 Q When you approached them, were you calm?</p> <p>11 A Yes.</p> <p>12 Q And I'm talking about when -- I'll ask</p> <p>13 again.</p> <p>14 When you first approached them after</p> <p>15 getting out of your vehicle and had not communicated</p> <p>16 with them yet, were you calm?</p> <p>17 A Little nervous. Not calm, but nervous.</p> <p>18 Q But did you raise your voice at them?</p> <p>19 A No.</p> <p>20 Q Did you yell at them?</p> <p>21 A No.</p>
<p style="text-align: right;">Page 304</p> <p>1 brandished your firearm did that stop the situation</p> <p>2 right then and there?</p> <p>3 A Yes.</p> <p>4 Q So at any point -- about how long was the</p> <p>5 firearm out of your pocket?</p> <p>6 A Until they walked away.</p> <p>7 Q How long was that?</p> <p>8 A I'm not sure. Minute, maybe.</p> <p>9 Q In that entire time the firearm, the barrel</p> <p>10 of the gun, was never pointed in their direction at</p> <p>11 all, correct?</p> <p>12 A Yes.</p> <p>13 Q Okay. So would you believe that the amount</p> <p>14 of force that you used was proportional for purposes of</p> <p>15 de-escalating any potential scenario that was about to</p> <p>16 arise?</p> <p>17 A Yes.</p> <p>18 Q I'm going to ask you a hypothetical.</p> <p>19 If you didn't have a firearm on you, do you</p> <p>20 think that you had the fighting skills necessary to</p> <p>21 quell two attackers of their size on you?</p>	<p style="text-align: right;">Page 306</p> <p>1 Q A person of that size, did you think he was</p> <p>2 16 years old?</p> <p>3 A No.</p> <p>4 Q Have you ever encountered a situation where</p> <p>5 you have had to defend yourself with someone running up</p> <p>6 from behind you?</p> <p>7 A No, I never had to defend myself against</p> <p>8 that.</p> <p>9 Q So this is the first and only time that you</p> <p>10 can recall?</p> <p>11 A Yes.</p> <p>12 Q So despite whatever training or experience</p> <p>13 you received as an officer this is the first scenario</p> <p>14 where it came to fruition in live action?</p> <p>15 A Yes.</p> <p>16 Q Okay. Did you ever see their bus arrive or</p> <p>17 van arrive to pick them up?</p> <p>18 A No.</p> <p>19 Q Did Howard County charge you with any</p> <p>20 crimes?</p> <p>21 A No.</p>

<p style="text-align: right;">Page 307</p> <p>1 Q How long after they arrived, how long after</p> <p>2 the Howard County Police arrived, did they give you</p> <p>3 your weapon back to you and allow you to go freely?</p> <p>4 A When they felt that it was -- they had</p> <p>5 enough information, I guess. Because when it was over</p> <p>6 they gave it back to me.</p> <p>7 Q So about how long, best guess, would you</p> <p>8 say it took to recover your firearm back from the</p> <p>9 Howard County Police after they temporarily confiscated</p> <p>10 it?</p> <p>11 A From when they took it?</p> <p>12 Q Yes.</p> <p>13 A Maybe five minutes.</p> <p>14 Q You're an officer. If you believe someone</p> <p>15 else had committed a crime and had a gun on them would</p> <p>16 you give them their firearm back if you thought they</p> <p>17 had committed a crime?</p> <p>18 A Well, if it wasn't a police officer and</p> <p>19 they had a gun, they probably would be in handcuffs</p> <p>20 before -- you know, during that situation.</p> <p>21 Q Well, let's change the hypothetical.</p>	<p style="text-align: right;">Page 309</p> <p>1 A Yes, I wouldn't have never done that.</p> <p>2 Q Is it possible that your fear tricked you</p> <p>3 into thinking you heard footsteps running up from</p> <p>4 behind you?</p> <p>5 A No, that's what I heard.</p> <p>6 Q When you turned around quickly, did you</p> <p>7 recognize which individual was running toward you?</p> <p>8 A What did we call him last time?</p> <p>9 Q There is a Mr. Brian Hatcher?</p> <p>10 A Mr. Hatcher was the closest to me.</p> <p>11 Q So of the two individuals who are alleging</p> <p>12 that -- Mr. Nicholson in this case is alleging that a</p> <p>13 firearm was pointed in his face. I believe. Don't</p> <p>14 quote me on that. I'd have to go back to the</p> <p>15 Complaint. The point is, that the barrel of the gun</p> <p>16 was raised towards his direction.</p> <p>17 If that were the case, would the gun have</p> <p>18 been raised in his direction or would it actually have</p> <p>19 been raised in Brian Hatcher's direction?</p> <p>20 A Well, if it was raised, if I raised it,</p> <p>21 which I did not, it would have been Mr. Hatcher.</p>
<p style="text-align: right;">Page 308</p> <p>1 If someone had a knife on their person that</p> <p>2 was legal, but you saw them breaking and entering,</p> <p>3 would you give them their knife back if you thought</p> <p>4 they had just committed a burglary?</p> <p>5 A No.</p> <p>6 Q Do you think, in your opinion, that Howard</p> <p>7 County Police thought you committed a crime that day?</p> <p>8 A I don't think they thought I committed a</p> <p>9 crime, no.</p> <p>10 Q In your capacity as an officer have you</p> <p>11 ever stopped an individual for being on private</p> <p>12 property?</p> <p>13 A Yes.</p> <p>14 Q Was it your understanding that when you</p> <p>15 stopped those two individuals that day that you were</p> <p>16 questioning them and were going to walk away and live</p> <p>17 your life without issue?</p> <p>18 A That was the plan once I was walking away.</p> <p>19 Q So you think had you not heard them running</p> <p>20 up behind you, you would not have turned around and</p> <p>21 de-holstered your weapon?</p>	<p style="text-align: right;">Page 310</p> <p>1 Q Because he was close to your person when</p> <p>2 you turned around, correct?</p> <p>3 A Yes.</p> <p>4 Q Do you know why he's not a witness to this</p> <p>5 suit?</p> <p>6 A No.</p> <p>7 MR. HANSEL: He is a witness.</p> <p>8 Q Do you know why he's not a party to the</p> <p>9 suit? Thank you, Cary.</p> <p>10 A No.</p> <p>11 Q When you testified that the Baltimore</p> <p>12 Police, quote, teach us to draw firearms, unquote, did</p> <p>13 you mean that in every single circumstance that you</p> <p>14 ever encounter as a police officer you're taught to</p> <p>15 draw your firearm?</p> <p>16 A No.</p> <p>17 Q Did you mean that in certain circumstances</p> <p>18 where you believe it's necessary, reasonable and</p> <p>19 proportional drawing your firearm may be required?</p> <p>20 A Yes.</p> <p>21 Q Do you believe that this was a situation,</p>

<p style="text-align: right;">Page 311</p> <p>1 based on your experience, that it was necessary to draw 2 your firearm? 3 A Yes. 4 Q That it was reasonable to draw your 5 firearm? 6 A Yes. 7 Q And that it was proportionately related to 8 the amount of force that could have been thrust upon 9 you? 10 A Yes. 11 Q I think it's fair to say, Mr. Nicholson, 12 based on your testimony, that you have had some 13 financial issues. Would you characterize that as 14 correct? 15 THE REPORTER: I'm sorry, Mr. Nicholson? 16 Q I'm sorry. Mr. Durant. 17 It would be fair to say that you have had 18 some financial issues in the past, correct? 19 A Yes. Still do. 20 Q Despite having those issues, have you ever 21 had an allegation of impropriety when it pertains to</p>	<p style="text-align: right;">Page 313</p> <p>1 Mr. Nicholson's sister, anyone, see you with your 2 firearm out of your pocket at all? 3 A No. 4 Q Did you ever tell Mr. Nicholson or 5 Mr. Hatcher that they were under arrest? 6 A No. 7 Q Did you ever tell them that they were not 8 free to leave? 9 A No. 10 Q Now, let's break that down. Did you ever 11 tell them that they were not under arrest? Did you 12 ever tell them they were under arrest up until the 13 moment where your back was turned and you were walking 14 away? 15 A Never told them they were under arrest. 16 Q Did you ever tell them they were not free 17 to leave at any point until the moment where your back 18 was turned? 19 A No. 20 Q In fact, all you wanted them to do was 21 leave, correct?</p>
<p style="text-align: right;">Page 312</p> <p>1 confiscation of evidence on the job? 2 A No. 3 Q Stealing money? 4 A No, sir. 5 Q Stealing drugs? 6 A No, sir. 7 Q Stealing firearms? 8 A No, sir. 9 Q So do you believe it's a fair 10 characterization that any financial issues are separate 11 from any of the allegations in this matter? 12 A Yes. 13 Q Do you know exactly what Mr. Nicholson is 14 claiming caused his damage in this case? 15 A Not exactly, no. 16 Q Was anyone -- were there any witnesses 17 besides Brian Hatcher to your firearm being out of your 18 pocket? 19 A Not that I know of, no. 20 Q Did any of the individuals who arrived on 21 scene, any individuals, police, Erica Hamlet,</p>	<p style="text-align: right;">Page 314</p> <p>1 A Yes. 2 Q Do you believe that they refused to leave 3 the area? 4 A Yes. 5 MR. GOLDBERG: I have no further questions. 6 MR. HANSEL: I have a single question 7 follow-up. 8 EXAMINATION BY MR. HANSEL: 9 Q The first person to speak during the 10 interaction was you speaking to them, right? 11 A Yes. 12 MR. HANSEL: Nothing further. Thank you. 13 Madam Reporter, we'll take a big one, a 14 small one. If you e-mail it to me, that's awesome. I 15 think I gave the order last time, but it's the same 16 one. That's it from me. 17 THE REPORTER: Very good. Mr. Goldberg? 18 MR. GOLDBERG: Read and sign, please, and 19 I'll take a big and a small. 20 MR. HANSEL: And I like mine ASCII and PDF, 21 both, please. Anybody else need anything before I log</p>

<p>Page 315</p> <p>1 out?</p> <p>2 MR. GOLDBERG: No. Thank you, Mr. Hansel</p> <p>3 and Ms. Carranza. And thank you, Sue, I appreciate it.</p> <p>4 THE REPORTER: Sure. Thank you.</p> <p>5 (Deposition was concluded at 12:26 p.m.)</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<p>Page 317</p> <p>1 ERRATA SHEET</p> <p>2 Case: Nicholson vs. State of Maryland, et al.</p> <p>3 Witness: DAMOND DURANT (Volume II) Date: 6/30/2022</p> <p>4 PAGE/LINE SHOULD READ REASON FOR CHANGE</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>
<p>Page 316</p> <p>1 CERTIFICATE OF DEPONENT</p> <p>2</p> <p>3 I hereby certify that I have read and</p> <p>4 examined the foregoing transcript, and the same is a</p> <p>5 true and accurate record of the testimony given by me.</p> <p>6</p> <p>7 Any additions or corrections that I feel are</p> <p>8 necessary will be made on the Errata Sheet.</p> <p>9</p> <p>10</p> <p>11</p> <p>12 _____</p> <p>13 DAMOND DURANT</p> <p>14</p> <p>15</p> <p>16 _____</p> <p>17 Date</p> <p>18</p> <p>19 (If needed, make additional copies of the Errata Sheet</p> <p>20 on the next page or use a blank piece of paper.)</p> <p>21</p>	<p>Page 318</p> <p>1 State of Maryland SS:</p> <p>2 I, SUSAN M. LIEBRECHT, a Notary Public of the</p> <p>3 State of Maryland, Carroll County, do hereby certify</p> <p>4 that the within-named witness personally appeared</p> <p>5 before me at the time and place herein set out, and</p> <p>6 after having been duly sworn by me, according to law,</p> <p>7 was examined by counsel.</p> <p>8 I further certify that the examination was</p> <p>9 recorded stenographically by me and this transcript is</p> <p>10 a true record of the proceedings.</p> <p>11 I further certify that I am not of counsel to</p> <p>12 any of the parties, nor in any way interested in the</p> <p>13 outcome of this action.</p> <p>14 As witness my hand and notarial seal this</p> <p>15 15th day of July, 2022.</p> <p>16</p> <p>17 _____</p> <p>18 Susan M. Liebrecht, RPR</p> <p>19 Notary Public</p> <p>20 My Commission Expires:</p> <p>21 September 8, 2025</p>

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